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Judge J W North, of Washoe, took the Chair and addressed the Convention as follows

Gentlemen of the Convention—I thank you for the mark of confidence you have shown in selecting me for the temporary President of this body, and I feel—and I have no doubt every one of you feel—the importance of the object for which we have met. The responsible duties which devolve upon this body are such as are seldom, and only at long intervals, delegated to any body of men—to frame an Organic Act, to establish institutions and to build up a new State Especially at the present time, in this interesting period in our [illegible] history, these are duties of deep and solemn interest as well as of duty I have no doubt that you all feel like proceeding at once to the duties of the Convention—to the permanent organization and the arrangement of business, so that our duties may be accomplished as speedily as possible—and therefore I will not detain you by further remarks

Your Committee, on Credentials would respectfully report the following named persons, as Entitled to seat in the Convention - to-wit;

From Douglas County.

Chauncey ~~D~~ N Noteware
James ~~F~~ W Haines
Jas W Small

From Esmeralda County.

Jas Starr
Frederick ~~T~~ K Beckler
Saml Youngs
Leonard ~~E~~ C Stearns
Henry Conner

From Humboldt County.

William
Wilson Eyler
Alanson ~~T~~ Nightingale
Wm R Harrison

From Lander County.

James ~~F~~ H Ralston
Marcus ~~A~~ La Larrowe

From Lyon & Churchill Counties.

Francis H Kennedy
Wm B Nichols
Geo. A Bradson
Wm D Birden
Jas B McClure

From Ormsby County

J. Neely Johnson
Jno A Kinkead
Geo L Gibson
Warren Bradson
Edward E B Dorsey

From Storey County

Wm M Stewart
Charles D Bryan
Samuel C Chapin
Miles N Mitchell
Joseph R Blunkett
Cornelius W. Brennan
John C Collins
Nath'l H Ball
Wm L Allman
James C Corey

Levi Hills

From. Washoe County

Jno. H. North
Edw.d C Ing
Chas. S Potter
Thos. H B. Schamp
Frederick A Ewer.

Carson Nov 2nd 863

C. S. Mclean
Danl A. Chapin
Ex. Ed. Carson

On motion of Mr. Ing of Ormsby the Report was accepted & the Committee discharged.

And the Resolution then unanimously adopted on motion of Mr Warren Mayor of Ormsby.

Report
Com on
Credentials

Recommit
Com. discharged
Adopted

Mr. Daniel Jones of Arizona moved that the Secretary of Legation be instructed to notify the Delegates by the President pro tem.

Mr. Charles H Bryan of Stoney moved to amend the motion by substituting the words "Chief Justice" for the words "President pro tem" which motion was accepted by the original mover of the motion & as amended was then carried.

Mr Bryan moved the appointment of a committee of three by the chair to draw up and present the Chief Justice & the convention accepted & the President appointed Messrs Bryan. Brennan. & Stearns

Mr J Reilly of Graham submitted the following ~~motion~~ form of oath to be administered, & on his motion the same was adopted.

(Oath)

Oct

[illegible]

[illegible] Resolved
[illegible] Resolved that the
following Resolutions
be Resolved that the Com-
mittee make provision to pro-
vide Blankets of Uniforms
in the following Order.
1st President
2nd Secretary
3 Vice-Presidents
4. Chaplain
5. Doorkeeper.
6. Over-
Page.
Resolved That the election
of officers the voting be
viva voce
Resolved. That the regular
hour of meeting be at 10 o'clock.
Debate ensuing on the
last resolution. the same
was withdrawn by the mover.
Mr Mitchell moved to amend
the first Resolution by strik-
ing out all the officers

[illegible]

[illegible]

[illegible]

and [illegible] to Rex
elections, was then adopted
[illegible] President Pro Tem.
appointment (President).
Mr. White, now and the appointing
power of the Pillars, agreed to.
The President appointed
as follows. Pillars White & Patter
The Committee then proceeded to elect a President.
Roll Call the Ballots Counted
Mr. Brown offered the following
Resolution which was adopted

Resolved

That the parliamentary Rules prescribed
in Jefferson's Manual
be the Rules to govern
this Convention until
action be had upon
Rules which may be
hereafter adopted
by the Convention

[illegible] Fellows [illegible] the following [illegible] the result of the first [illegible] ~~Last~~ Recommend Harding Three ballots.

~~Pollock~~ Pollock	21.
Mr Mitchell	2
Fred Parsons	3
Hazleton	3
Buck-Collins	1

After which on motion of Mr Hammond the election of Dr North as permanent President was made unanimous by acclamation.

Speech

[illegible] nominations being made, the nominations closed,

On motion of Mr. Gillespie, a recess was taken.

Upon reassembling the Convention was called to order by the Chairman.

Mr. Gillespie moved that the Convention proceed to the election of permanent officers, being exhausted.

Mr. Lansaure offered the following Resolution which was adopted

Resolved that the Convention do now proceed to elect the balance of the permanent officers to wit: Two Official Reporters - One Chaplain One Doorkeeper - One Porter & One Page.

[illegible] Resolution [illegible] the [illegible]
[illegible] [illegible] [illegible].
[illegible] that the Presi
dent of the Convention ap=
point a Committee of three
members to receive nominations
for Official Reporters &
ascertain the Estimated
rates they respectively charge
for making an Official Re
port of the proceedings of
this Convention.

Mr Watson offered the
following Resolution which
was adopted.

Resolved that the
Convention do now proceed
to the election of two Official
Reporters, at such compen
sation as may be hereafter
agreed upon by the Convention.

The Convention then
proceeded to elect the Offi
cial Reporters, under the
preceding Resolutions.

Messrs Yates & Patten acting
as Tellers.

A Ballot being had result

[illegible]

[illegible] Collins seconded the motion
which was carried unanimously
[illegible]

The Secretary then read the
Minutes of the last Meeting
which were declared
by the President duly elected
Annual Report was then
read

The Chaplain of the Corporation Mr Young nominated the Rev A D White of Curzon Street.

No other nomination being made. On motion of Mr Collins. the Resolution was duly seconded on this instance, and the Rev A D White was elected Chaplain by acclamation

The election of Doorkeeper. being next in order. -

Mr Brosnan nominated Mr Stow
Mr Noteware nominated Thos Curzon.
A Ballot being had resulted as follows.

[illegible] 17.

[illegible] 15

At 1st Balloting received a majority of all the votes cast was duly declared elected President of the Convention.

For Porter for the Convention Mr Kennedy ~~moved~~ nominated Wm E. Skeene.

The Resolution to vote by ballot was on this instance suspended on motion of Mr Collins, and Wm E. Skeene was declared elected Porter of the Convention by acclamation

For Page

Mr Mitchell nominated Aaron Compton.

The Resolution to vote by ballot was again suspended & Aaron Compton was declared Elected Page of the Convention by acclamation.

The oath of Office & Allegiance was then administered by the Chief Justice. & the Secretary. Official Reporter. Doorkeeper & Page.

Mr Bryan offered the following resolution which was adopted unanimously

Resolved that a Committee of five be appointed by the Chair to report on the Order of Business, and rules for the Government of the Convention.

The President announced the following delegates as the Committee under the preceding Resolution viz.

Messrs Bryan of Storey.
Johnson of Ormsby, Lamoure of Lander: "Kinkead of Ormsby & Mitchell of Storey.

At his own request Mr Johnson of Ormsby was excused from serving on the Committee, and the President substituted Mr Chapin of Storey.

Mr Younger offered the following which was adopted

Resolved That when this Convention adjourns it adjourn to meet to-morrow Morning at 10 O'clock and that it meet at that hour each succeeding Morning thereafter until otherwise ordered.

On motion of Mr. Stewart the Convention was directed to proceed to the election of two Delegates to represent this County, Delegation, & the Convention, together.

On motion of Mr Allen the Convention adjourned till tomorrow morning at 10 Oclock.

Second Day.

Wednesday November ~~3~~ 4th 1863

The Convention met pursuant to adjournment at 10 O'Clock A.M.

Prayer by the Chaplain.

On calling the roll the following Delegates were present - and the following answered

Alban, ~~W. G.~~

Ball, ~~N. A. H.~~

Becktel, ~~F. K.~~

Brosnan, ~~C. N.~~

Bryan, ~~Chas. H.~~

Chapin, ~~S. A.~~

Collins, ~~Jno. A.~~

Conner, ~~H.~~

Corey, ~~J. C.~~

Dorsey, ~~E. B.~~

Ent, ~~F. A.~~

Epler, ~~W.~~

Gibson, ~~Geo. L.~~

Haines, ~~J. W.~~

Harrison, ~~W. H.~~

Hickok, ~~W. B.~~

Hite, ~~Levi~~

Hudson, ~~Geo.~~

Ing, ~~E. C.~~

Johnson, ~~J. Neely~~

Kennedy, ~~J. H.~~

Kinkead, ~~S. H.~~

Larroue, ~~M. L.~~

McClure, ~~Jos.~~

Mitchell, ~~M. N.~~

Nightingall. ~~A. W.~~

North, ~~J. W.~~

Noteware, ~~C. N.~~

Plunkett, ~~I. H.~~

Potter, ~~C. S.~~

Ralston, ~~J. H.~~

~~Sewell, J. A.~~

Shamp, ~~T. B.~~

Stark, ~~Jas.~~

Small

Stearns, ~~L. O.~~

Stewart, ~~W. M.~~

Virden, ~~W. H.~~

Wasson, Warren

Young, Samuel

Present 28.
Absentees 11

[illegible]

[illegible]

[illegible]

Mr President

Your Committee ~~appointed to~~ duly prepare Rules and Order of Business for the Convention

Would respectfully Report That we have not had time to carefully consider all the subjects which we might have ~~reported~~ but for the purpose of expediting business and bringing matter speedily before the Convention We Recommend the adoption of the parliamentary Rules laid down in Jefferons Manual as the Rule governing this convention

We also recommend the adoption of the following Standing Committees to be appointed by the President

1st On Preamble Name of State, State Seal and Coat of Arms and Bill of Rights to consist of 3 members

2nd A Committee on Legislative department to take into consideration the following subjects

Boundaries of State

County and Township organizations

Elective Franchise

Crimes and Punishment Domestic relations and Homestead exemption and other subjects belonging to said department to consist of 5 members

3rd On [redacted] Education and Charitable Institutions 3 members

4th On Finance Public Debt Taxation Salaries Printing and Supplies and Expenditures to consist of 5 members

5th on the Military & Prisons and Police Regulations to consist of 3 members

6th on Municipal and other Corporations to consist of 5 members

7th Miscellaneous provisions, the arrangement and Phraseology of the Constitution and mode of amending and revising the same to consist of 4 members

8th On Executive and other State Officers and their duties consisting of 5 members

9th On the Judiciary department consisting of 5 members

And we recommend that for the purpose of securing harmony in the action of the Committees; the Constitution of California as amended be adopted as a basis for consideration so far as it may be deemed applicable to the wants of this State

We further recommend that the reports of the Standing Committees as they are received be printed on separate sheets for the use of the Convention and that a Special Committee of 3 be appointed to attend to the printing of the same and to the engrossment of the Constitution

We also further recommend the appointment of a Committee of 3 to procure supplies such as Stationery and other articles necessary for the use of the Convention

Chas. H. Bryan
Chairman Committee

Mr Reid moved that
the Report be accepted &
the Committee discharged.
Agreed to.
Mr Rulason moved the
adoption of the Report
Agreed to.
Mr Mitchell offered
the following

~~Minutes~~

Resolved that until otherwise ordered

The following shall be the the Order
of busineps of this Convention
1 Reading Minutes
2nd Reports of Standing Committees
3 Reports of Special Committees
4 Motions and Resolutions
5 Consideration of Reports of Standing
Committees; on Committee of the Whole

Adopted.

at 15 past 10. Oclock A.M.

Mr Stewart moved that
the Convention take a recess
until one Oclock. Agreed to
The Convention then took
a recess till 1 Oclock.
P.M.

1 O'Clock P.M.

The Journal of the first day was read and approved.

Messrs. Jas Stark of Escambia. Jas. Clorey & Nath'l A. Ball attorney appeared in convention. and took the oath of office prescribed by the Convention.

~~Hon Wm E. Keene Porter~~

The oath of office was then administered by the Chief Justice to Wm E Keene ~~Porter~~ Porter.

The President then announced the following ~~Standing~~ Committees.

Standing Committees

On Preamble
Name of State
State Seal & Coat of Arms
and Bill of Rights

Messrs
Chapin Sterne (Jno) Nightengill

On Legislature Department
Boundary of State
County and Township Organizations
Elective Franchise
Crimes and Punishments
Domestic Relations
Homestead Exemption (and)
other subjects belonging to said Dept:

Messrs
Johnson, Ralston, Broeman
Beckett (and) Schamp

On Education (and) Charitable
Institutions.

Messrs
Collins, Potter & Hickok

On Executive and Contingent Expenses
Mess.rs.
Kennedy, Patterson, Small
Allen and Blackmer

On the Judiciary Department
Mess.rs.
Stearns, Johnson, Lawrence
Bryan & Dorsey

On Printing & Engraving
Messrs.
Ralston Stewart and Ephelin.

On Supplies &c
Messrs.
Jones, Gibson & Dorsey

Resolved

Resolved that the Secretary of State be instructed to furnish each member of this Convention, two Copies of each of the following named papers viz The Carson Independent, Territorial Enterprise, Virginia Union & Sac Union — to be paid for out of the fund appropriated by Resolution ~~for the purpose~~ providing for the expenses of this Convention Legislature of 1862 — and that such copies commence with the date of Nov 4th of the Territorial papers.

Mr White moved to amend the Resolution by substituting the words. "a copy of two ~~each~~ Daily Papers such as he may elect" for the words. "a copy of Each of the following named papers viz. The Carson Independent, Territorial Enterprise, Virginia Union and Sacramento Union"

Mr Stewart offered a substitute amendment. Directing the Secretary of State to furnish ~~the~~ Delegates such Delegates as may wish them, with the Daily Papers at their own Expense.

Mr Stearns the mover of the orginal Resolution accepted the substitute amendments. And pending the question on the Resolution as

Mr. Ralston moved the whole subject be laid on the table. Which was agreed to.

Mr Young offered the following Resolution

Resolved. That the Sergeant at Arms be authorized to procure & furnish for the use of this Convention Lamps or Candles, necessary for lighting the Room Evenings - Locks & Keys for the Desks of Members - Fire Wood and the things necessary for keeping the Room in Order

Mr Stewart moved to amend the Resolution by striking out the words "Sergeant at Arms" and inserting the words "Committee on Supplies" Which motion was agreed to and the Resolution as amended was then adopted.

Mr Rulison moved that when the convention adjourned today it adjourn to meet at 2 O Clock Pm tomorrow. Agreed to.

On motion of Mr Chapin the convention then adjourned till 2 oclock Pm. tomorrow (Thursday).

Third Day,

Thursday Nov 5th 1863

Convention met pursuant to adjournment.

On calling the Roll the following delegates answered to their names.

Present

Mr. Allan,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr Ing,
Mr. Johnson,
Mr Kennedy,
Mr. Kinkead,
Mr Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
Mr President, [Mr. North,]

35

4

The Journal of yesterday was read amended & approved.

Mr Virden from the Lyon Delegate from Lyon County appeared and was sworn in by the Chief Justice

Mr Chapin from the Committee on Preamble. Name of State. State Seal & Declaration of Rights submitted the following minority Report

To the President of the Constitutional Convention

Your Committee appointed to report a Preamble, name of State, State Seal and Declaration of Rights would respectfully report the following.

Preamble

We, the people of the Territory of Nevada, grateful to Almighty God for our freedom, in order to secure its blessings, insure domestic tranquility and form a more perfect government, by the name of the State of do establish this Constitution.

Your Committee do not agree with regard to the name of the State and each member will report accordingly.

The undersigned would respectfully recommend the name of "Washoe" for the following reasons to wit:

1st It is the name given by the Legislature assembly by whose authority we are here assembled and are directed "to frame a Constitution for the State of Washoe".

Washoe is the name by which our region of Silver is favorably known the world over—

The people care little for the origin of the name, while it remains the universally accepted name for our

rich mineral fields.

The name has also the merit of being short, easily spoken and written, and not subject to the least confusion with other localities.

Your committee ask further time to report on the other subjects referred to them.

Respectfully submitted

Wm. F. Holcombe,

Chairman.

[illegible] Committee submitted the following Report

To the President and Members of the Const. Convention.

We the undersigned a Committee appointed to report upon a Preamble, Name of State, Seal of State and Bill of Rights beg leave to make the following report on Preamble and Name to wit:

Preamble & Name

We the People of the Territory of Jefferson grateful to Almighty God for our freedom, in order to secure its blessings, ensure tranquility and promote the welfare of the State of Jefferson do ordain and establish this Constitution

Sec. 1. All Citizens

Of said State - Report-

ing Committee submitted the following report

To the President and Members of
the Constitutional Convention
Gentlemen, the undersigned,
Citizens of your Commonwealth, on Preamble
Bill of Rights
to frame a Fundamental
Law for the State, would
respectfully submit the following
Preamble

We the people of the Territory of
Humboldt grateful to Almighty
God for our freedom; in order
to secure its blessings, insure
domestic tranquility and form
a more perfect Government lay
the foundations of
the State of Humboldt
do establish this Constitution

A. W. Whittington

Mr Young moved that the ~~report of the~~ Several Minority Reports of the Committee on the Preamble and name of State

be accepted & printed

Mr Chapin moved to amend by striking out the words and printed which ~~motion~~ amendment was agreed to and the original motion then ~~agreed to~~ prevailed

Mr Johnson from the Standing Committee on State Boundary and Right of suffrage submitted the following Report

Mr President:- Your Committee to which was Referred the question of "State Boundary" and "Right of Suffrage" beg leave to present the following provisions and respectfully ask that they may be adopted by the Convention as a part of the proposed State Constitution, and that they may have time to report further on the several matters submitted to the Committee.

E. Johnson Chmn

"Boundary"

The boundary of the State of ... shall be as follows—
Beginning at the point of intersection
of the forty Second degree of North latitude
with the thirty Eighth degree of longitude
west from Washington — thence running
South On the said thirty Eighth degree
of west longitude until it intersects
the Northern boundry line of New
Mexico; thence due west along the
Northern boundry line of New Mexico
until such line intersects the Eastern
boundry of the State of California
thence Northerly along the Eastern
boundry line of the State of California
until such line intersects the forty Second
degree of north latitude thence East
With said forty Second degree of
North latitude to the place of beginning;

And Whensoever Congress Shall authorize
the admission to the Territory of Nevada
Or of this State, any portion of the
Territory On the Easterly border of the
foregoing defined limits not exceeding
in Extent One degree of longitude
the same Shall thereupon be embraced
within and become a part of this State;
And furthermore provided, that all such
territory lying West of and adjoining
the boundry line herein prescribed, which
the State of California may relinquish
to this State Or the Territory of Nevada
Shall thereupon be Embraced within
and Constitute a part of this State.

Right of Suffrage.

1. Every male person of the age of Twenty one years or upwards belonging to either of the following Classes, who shall have resided in the United States one year, and in the State for six months next preceding any Election, shall be entitled to vote at such Election, in the County of which he shall at the time have been for ten days a resident for all offices that now are, or hereafter may be Elective by the People.
   First. White Citizens of the United States,
   Second White persons of foreign birth, who shall have declared their intention to become Citizens, conformably to the Laws of the United States upon the subject of Naturalization.
2. No person who has been, or may be, convicted of Treason, or any felony in this State, for the Territory of Florida or any other State or Territory of the United States, unless restored to Civil rights, and no idiot or insane person, shall be entitled to the privileges of an Elector.
3. For the purpose of voting, no person shall be deemed to have lost a residence by reason of his absence while employed in

of The Service of The United States, or of This State, Nor While a Student in any Seminary of Learning, Nor While Kept at any Almshouse or Asylum.

4. No Soldier in The Army of The United States Shall be deemed a resident of This State in Consequence of being Stationed Within This State.

5 The right of Suffrage Shall be enjoyed by all persons otherwise entitled to The Same, who may be absent from This State in The Military or Naval Service of The United States, Provided, That The Payment of a Poll Tax or registration of such Voter Shall not be required as a Condition to The right of Voting.

Provisions Shall be made by Law regulating The manner of Voting, holding Elections and making returns of such Elections,

6. During the day on which any general election shall be held in this State, no qualified elector shall be arrested by virtue of any Civil process.

7. All elections by the people shall be by ballot.

8. Provision shall be made by Law for the Registration of the names of electors within the Counties of which they may be Residents and for the Ascertainment by proper proofs the persons who shall be entitled to the right of suffrage as hereby established.

9. The Legislature may furthermore provide by law for the payment of a poll tax not exceeding two dollars in any one year by each elector, as a condition to the right of voting.

10. All bonafide residents of the Territory of Nevada at the time provided in this Constitution for the first election to be held under it, provision, and who shall ~~accept~~ the other qualification of electors herein provided, - shall be entitled to vote for the election of all officers to be elected at such election, and upon ~~the~~ the question of adopting or rejecting this Constitution.

Johnson
Chairman

On Ballot moved the Report of the Committee on the Extension of Boundaries and Right of Suffrage.

Be accepted

Agreed to

~~Report from the Committee~~

100 copies of

On Gibson moved that the Reports of the Committee ~~be~~

be ordered printed

Agreed to

On Young from the Committee on supplies ~~&~~ submitted the following Report.

Mr President

The Committee on Supplies have held a meeting and find it absolutely necessary to have some money in a position where the small Bills can be paid on presentation - And in as much as the Territorial Legislature at its last Session made an appropriation of 3.000 Dolls. for the use of this Convention - The Committee would respectfully inquire of they on what then Committee should apply to the Auditor for Warrants for said amount and have the same placed where it will be subject to the order of this Convention

Chas. A. Young Chairm

Mr Stewart moved that the Committee on Supplies and Expenditures be authorized to call upon the Treasurer and Auditor for a statement of the request limit of warrants upon the Treasury Warrants in such sums as may be necessary to defray the expenses of this Convention & further that they have authority to have the Warrants drawn in favor of said

(agreed to).

Mr Stevens moved that the subject of the Preamble & Plan of the State Government be made the Special Order for 10 o'clock a.m. tomorrow.

Mr Stewart moved to amend the original motion by adding thereto immediately. Subsequently Mr Stewart withdrew his amendment. And the original motion of Mr Stevens was then adopted, agreed to.

Mr Mitchell moved that the Report of the Committee on the Right of Suffrage be made the special Order for 2 o'clock P.M. to-morrow

The motion was after some debate withdrawn by the mover.

Mr Stewart moved that the Convention do now adjourn

Agreed to.

The Convention then adjourned till 10 o'clock A.M. to-morrow

AYE.

Mr. Al[illegible],
Mr. Bell,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr Nightingill,
Mr. Noteware,
Mr. Plunkett,
Mr Potter,
Mr Ralston,
Mr. Shamp,
Mr Small,
Mr Stark,
Mr. Sterns,
Mr Stewart,
Mr. Virden,
Mr. Wasson,
Mr Youngs,
Mr President, [Mr North,]

~~The Journal of yesterday was read by the Chaplain~~

The Journal of yesterday was read and approved

On motion Committee on Municipal & other Corporations submitted the following report

and warrants.

Mr President

Your committee on Municipal and other corporations would respectfully recommend the following provisions

Section 1st The Legislature shall pass no special act confering corporate powers; but corporations may be formed under general laws, and all such laws may, from time, to time, be altered or repealed

2nd All real property, and possessory rights to the same; as well as personal property, in this state belonging to corporations, now existing, or hereafter created, shall be subject to taxation, the same as the property of individuals. Provided; that the property of corporations, formed for charitable, religious, or educational, purposes may be exempted by law.

3 Dues from corporations shall be secured, by such individual liability, of corporators, and other means, as may be prescribed by law; and each individual stockholder, shall be individually, and personally, liable for his proportion of all its debts and liabilities.

4th All corporations shall have the right to sue and be subject to be sued in all courts in like cases as individuals

5 The Legislature shall have no power to pass any act granting any charter for banking purposes; and shall prohibit by law any person or persons association company or corporation from exercising the privilege of banking or creating paper to circulate as money

6 No right of way shall be appropriated to the use of any corporation until full compensation be first made therefor

7th The Legislature shall provide for the organization of cities and incorporated villages by general laws; and restrict their power of taxation assessment borrowing money contracting debts and loaning their credit so as to prevent the abuse of such power

8th The State shall not subscribe to, or be interested in, the stock of any company association or corporation

9th No county city town or other municipal corporation shall become a stockholder in any joint stock company corporation or association whatever, or raise money for, or loan its credit to, or in aid of any such company corporation or association

W. J. Mitchell
Chairman

Mr Bryant moved that the Report be accepted and had. Carried Ordered printed agreed to

Mr. Chapin moved the Committee on Preamble & Declaration of Rights submitted the following Report

Mr President,

Your committee appointed to report a Preamble, Declaration of Rights, &c, respectfully submit the following —

Preamble.

We the people of the Territory of Nevada, grateful to Almighty God for our freedom, in order to secure its blessings, insure domestic tranquility, and form a more perfect government, by the name of the State of do establish this Constitution.

ARTICLE I.

DECLARATION OF RIGHTS

SEC 1 All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

SEC. 2 All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right to alter or reform the same whenever the public good may require it

*, but the paramount allegiance of every citizen is due to the United States of America, and no power exists in the people of this or any State of the Federal Union to dissolve their connection therewith, or perform any act tending to impair, subvert or resist the Supreme Authority of the Government

* ... that the paramount allegiance of every citizen is due to the United States of America, and no power exists in the people of this or any State of the Federal Union to dissolve their connection therewith, or suppress any act tending to impair, defeat or resist the Supreme authority of the Government of the United States.

... and punishments be inflicted, nor shall witnesses be unnecessarily detained.

SEC. 7. All persons ... shall have certain ... rules for regulating ... when the proof is evident or the presumption great.

SEC. 8. No person shall be held to answer for a capital or otherwise infamous crime (except in cases of impeachment, and in cases of militia when in actual service, and the land and naval forces in time of war, or which this state may keep with the consent of Congress in time of peace, and in cases of petit larceny under the regulation of the Legislature), unless on presentment or indictment of a grand jury; and in any trial in any court whatever, the party accused shall be allowed to appear and defend in person and with counsel, as in civil actions. No person ... to be twice put in jeopardy for the same offence; nor shall he be compelled, in ... nor be deprived of life, liberty, or property, ... en for pr... just com-

pensation.

Sec. 9 Every citizen may freely speak write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions on indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

Sec. 10. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the legislature for redress of grievances

Sec. 11 All laws of a general nature shall have a uniform operation.

Sec 12. The military shall be subordinate to the civil power No standing army shall be kept up by this State in time of peace, and in time of war no appropriation for a standing army shall be for a longer time than two years.

Sec. 13 No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, except in the manner to be prescribed by law

Sec. 14 Representation shall be apportioned according to population

Sec 15 No person shall be imprisoned for debt in any civil action, on *mesne* or final process, unless in cases of fraud, and no person shall be imprisoned for a militia fine in time of peace.

Sec 16 No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts shall ever be passed

Sec 17 Foreigners who are, or who may hereafter become, *bona fide* residents of this State shall enjoy the same rights, in respect to the possession, enjoyment, and inheritance of property, as native-born citizens

Sec 18 Neither slavery nor involuntary servitude, unless for the punishment of crimes shall ever be tolerated in this State

Sec. 19 The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized

Sec. 20 Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid or comfort No person shall be convicted of treason, unless on the evidence of two witnesses to the same overt act, or confession in open court.

Sec. 21. This enumeration of rights shall not be construed to impair or deny others retained by the people.

All of which is respectfully submitted
Saml. F. Chapin
L. L. Stevens
A. Pritchard
Committee

Mr Hutchinson moved that the Report of the Committee be received, and that the Preamble & Resolution be permitted to lie on the table.

Agreed to.

Mr Young moved that the Convention do now resolve into Committee of the Whole on the Special Order of the Day Family: the Preamble & Name of State.

Agreed to

The Convention in Committee of the Whole. Mr Mitchell in the chair, went into consideration of the Special Order aforesaid,

Mr Kenny read the ~~minority~~ minority Report & Resolutions of the ~~minority~~ Committee.

Mr Bull moved that the ~~consideration of the minority report~~ Resolutions submitted by Mr Chapin. Mr Mitchell from the Committee of the Whole rose. & Mr Mitchell submitted the following report.

Mr. President: The Convention
on Boundaries of this State
has rendered a report to
the Special Order of the
day. Touching the Preamble
& Name of State, have
some thoughts thereunto
have adopted, the minority report of Mr. Chapin
after amending the same
by fixing the name of the
State as Nevada. Recommend that the convention
to concur therein. as follows
to wit

Preamble

We the People
of the Territory of Nevada Grateful. to Almighty God for our
freedom. in order to secure
its blessings. Ensure domestic
tranquility, and form a more
perfect Government by the
name of the State of "Nevada"
& Establish this constitution

Apr 19 74

The question recurring on the adoption of the Report of the Committee of the Whole,

Mr. Sterns moved to amend the Report by striking out the Word "Reward" and inserting in lieu thereof the Word "Emerald"

On calling the Roll the motion was negatived by the following vote.

AYE	NAY.
	Mr. Beck,
	Mr. Bell,
	Mr Bechtel,
	Mr Brosnan,
	Mr. Bryan,
	Mr. Chapin,
	Mr. Collins,
	Mr. Conner,
	Mr. Corey,
	Mr. Dorsey,
	Mr. Ent,
	Mr. Epler,
	Mr. Gibson,
	Mr. Haines,
	Mr. Harrison,
	Mr. Hickok,
	Mr. Hite,
	Mr. Hudson,
	Mr. Ing,
	Mr. Johnson,
	Mr. Kennedy,
	Mr. Kinkead,
	Mr. Larrowe,
	Mr. McClure,
	Mr Mitchell,
	Mr. Nightingill,
	Mr. Noteware,
	Mr. Plunkett,
	Mr. Potter,
	Mr. Ralston,
	Mr Shamp,
	Mr. Small,
	Mr. Stark,
	Mr. Sterns,
	Mr. Stewart,
	Mr. Virden,
	Mr. Wasson,
	Mr. Youngs,
	Mr President, [Mr. North,]

Mr Patten moved to amend the Report by striking out the word. "Nevada" and inserting in lieu thereof the word. "Nachae"

The motion was put viva voce & negatived

The Report was then adopted by the following vote.

AYE.	NAY.
~~Mr. Allen,~~	
~~Mr. Bell,~~	
~~Mr. Bechtel,~~	
~~Mr. Brosnan,~~	
Mr. Bryan,	
~~Mr. Chapin,~~	
~~Mr. Collins,~~	
Mr. Conner,	
~~Mr. Corey,~~	
~~Mr. Dorsey,~~	
Mr. Ent,	
~~Mr. Epler,~~	
~~Mr. Gibson,~~	
~~Mr. Haines,~~	
Mr. Harrison,	
~~Mr. Hickok,~~	
~~Mr. Hite,~~	
~~Mr. Hudson,~~	
Mr. Ing,	
~~Mr. Johnson,~~	
Mr. Kennedy,	
~~Mr. Kinkead,~~	
~~Mr. Larrowe,~~	
~~Mr. McClure,~~	
Mr. Mitchell,	
~~Mr. Nightingill,~~	
~~Mr. Noteware,~~	
Mr. Plunkett,	
Mr. Potter,	
~~Mr. Ralston,~~	
Mr. Shamp,	
~~Mr. Small,~~	
~~Mr. Stark,~~	
~~Mr. Sterns,~~	
~~Mr. Stewart,~~	
~~Mr. Virden,~~	
~~Mr. Wasson,~~	
~~Mr. Youngs,~~	
President (Mr. Bartlett)	

Mr. Chairman moved that the Convention do now go into Committee of the Whole on the Bill of Rights.

Agreed to.

The Convention in Committee of whole Mr Young in the chair considered the Bill of Rights.

In time The Convention rose and Mr Young submitted the following Report

Mr President The Convention in Committee of the Whole have had under consideration the "Bill of Rights" have made some progress therein but having not gone through therewith, report that fact to the Convention & ask leave to sit again upon the same subject.

Pending the question motion was made by leave of the Committee to sit again. at 12.45 on motion of Mr Pate the Convention took a recess till 2 o'clock PM

2 O'Clock P.M.

The Chairman of the Committee of the Whole on the Declaration of Rights asking leave to sit again

Leave was granted.

Mr Lamaine moved that the Convention go into Committee of the Whole on the Declaration of Rights. agreed to.

The Convention in Committee of the Whole. Mr Ralston in the Chair. considered the Declaration of Rights

In time

Mr Ralston reported that the Committee of the Whole had resumed the consideration of the "Declaration of Rights" ~~had go~~ have made some progress therein but having not gone through therewith. report that fact to the Convention and ask leave to sit again.

Leave was granted by Convention.

Mr Johnson moved that the Convention do now go into Committee of the Whole

on the Article relating
to the Boundary Agreed to.

The Convention in Committee
of the whole. Mr Young in the
chair considered the Article
defining the Boundary of
the State;
In time the committee rose.

Mr Young reported that
the Committee of the Whole had
had under consideration
the Article defining the
Boundary of the State, had
made some amendments
thereto, had gone through
thereunto, & recommend its
adoption by the Convention.

The report was adopted

~~Mr Bryan moved that~~
~~a Committee of three be~~
~~appointed.~~

Mr Bryan offered the
following resolution
which was adopted.

Resolved
That the
President appoint a
Special Committee, of
three to draft a
Memorial to the U. States
Congress
to accompany the Terms
of Admission, and to be
presented to that Body
after action upon the
Constitution forwarded
praying Congress to
attach to the County of
the State on its Eastern
boundary one degree
of Longitude additional
to the boundaries fixed
in the State Constitution
of Nevada.

The President announced
Messrs. Bryan. Johnson.
& Ralston as the Committee
under the preceding
Resolution

[illegible] proposed the following resolution which was adopted).

Resolved that a Committee of three be appointed to memorialize the Legislature of the State of California to relinquish to the State of Nevada all that portion of the County of Placer East of the summit of the Sierra Nevada Mountains which now claims the jurisdiction of Nevada ~~Territory~~ and that the Boundary line between the State of California and Nevada be established from the Pacific Ocean to the point where the 120th degree of West Longitude from Greenwich crosses the 39th degree of North Latitude.

The President announced Messrs. Stewart, Stark & Patten as the committee to act under the preceding resolution.

Stewart Stark Patten.

Mr Stewart moved to increase the committee appointed to memorialize the California State Legislature. (agreed to)

Stewart's motion agreed to.

The President announced Messrs. Rextel Small Shamp & Haines as the additional members of said committee.

Rextel Small. Shamp Haines

Mr Lyman moved that the Committee be appointed to memorialize Congress for the Extension of Eastern Boundary. be increased to seven. agreed to.

The President announced the following as the additional members of said Committee Messrs. Lawrence - Nightingale Sterns & Epler.

Mr Stewart moved that ~~when~~ all complete Reports from the Committee of the Whole, be as soon as adopted, laid on the table unless otherwise ordered.

agreed to.

Mr Mitchell moved that the Convention do now go into Committee of the Whole, for the consideration of the article relating to the "Right of suffrage".

agreed to.

The Convention in Committee of the Whole Mr Bryan in the Chair considered the said article.

Mr Bryan reported that

the Committee had had under consideration the proposed article, concerning the Rights of Suffrage, had made some progress therein but having not gone through the same, report that fact to the Convention & ask leave to sit again

Leave was granted.

Mr Kennedy moved that when the Convention adjourns it adjourn to meet at 2 oclock P.M. on Monday. Agreed to

Mr Young moved that the Convention do now adjourn. agreed to

& the Convention adjd till 2 oclock P.M. on Monday.

On the call of the Roll the following Delegates were present

and the following were absent

Mr. Allen,
Mr. Bell,
Mr. [illegible],
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. [illegible],
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
Mr. President, [Mr. North,]

The Journal of Friday
was read and approved.

On motion Comm. delegate
from the County of Exmouth
was appointed to the
Exchequer Judgeship
vacated by the
Chief Justice of him.

Mr Potter asked leave of
absence for an indefinite
period for his colleague
Mr Shamp who had been

called to order on account of sickness of his family.

~~The President~~ Leave was granted

The President stated that Mr Ent. ~~stated~~ was ~~not~~ ~~but~~ detained at Home. and on motion Leave of absence was granted him for one day

Mr Bynum ~~submitted~~ the following

Mr President

Your Committee on Rules &c beg leave to report the following resolution —

Resolved

That after the various Articles and Sections of the proposed Constitution, have been severally passed upon in Committee of the whole and are reported to the Convention - that they shall lie on the table till called up for further amendment or final action by the Convention, and shall not undergo three readings

The Resolution was adopted.

Resolved: That the Members of this Convention be authorized to appoint Henry Conner a Member of either of the Standing Committees now authorized by the rules of this Convention - Adopted

~~Mr Hayes moved that the Committee Convention do now go into Committee of the Whole~~

Mr Bryant moved that this Convention go into Committee of the Whole on Article 1. Entitled the "Declaration of Rights" agreed to, and the Convention in Committee of the Whole Mr Young in the Chair. considered the ~~Resolution~~ said article.

Returned the Committee rose. & Mr Young reported that

The Committee on Committee of the Whole had had under consideration the article entitled the "Declaration of rights" had made some progress therein. but having not come to a conclusion thereon. had directed the Chairman to report that fact to the Convention & ask leave to sit again. and further ~~that~~ respectfully the Committee would recommend that Sec. 2 of the said Article as reported together with the several amendments be referred to a select Committee of three to revise and report the same to the Convention at an early day. Leave was granted. & the recommendation of the Committee ~~as aforesaid~~ to appoint a select committee agreed to.

Johnson Bryan Stewart

The President appointed Messrs Johnson. Bryan and Stewart as such Committee

On motion of Mr. H. Stevens who put the motion; the President was added to the select Committee last appointed.

The President announced Mr Henry Cowen of Esmeralda as an additional member of the standing Committee on "Municipal & other Corporations"

On motion of Mr Gibson of Ormsby the Convention adjourned till 10 o'clock A.M. to morrow

Prayer by the Chaplain

On calling the Roll the Delegates
full answering ~~their~~ names
were present

And the Roll having been
called the absentees

Mr. Alban,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Younge,
President, [Mr. North,]

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the Journal of yesterday were read & approved).

Mr Johnson from the select committee appointed yesterday. Submitted the following report.

Mr President.

Your Committee to which was referred the several Amendments proposed to Sec 2 of the "Declaration of Rights" reported by the Standing Committee beg leave to ~~respectfully~~ present the accompanying provision as a substitute for the original amendments and the several Amendments proposed thereto and respectfully ask that the same may be adopted by the Convention.

Substitute the following —

Add to Sec 2 after the last word "it", its following.

"But the requirement of allegiance of every citizen is due to the Federal Government; in the exercise of all authority conferred by the Constitution of the United States, and no power exists in the people of this or any state of the Federal Union to dissolve their connection therewith except by consent of the people of all the States of the Union, or perform any act tending to impair, subvert or resist the Supreme Authority of the Government of the United States. The Constitution of the United States confers full power on the Federal Government to maintain and perpetuate its existence, and whensoever any portion of the States or people thereof attempt to secede from the Federal Union, or forcibly resist the execution of its laws — the Federal Government may by warrant of the Constitution employ armed force in compelling obedience to its authority.

Abraham Lincoln

Chm

The Report was accepted.
On motion of Mr Stevens
the rules were ordered print
ed for the use.

Mr Stevens from the Judiciary
Committee submitted the fol
lowing report

Mr President.

The majority
of the Committee to which was
refered the Article of the Con=
=stitution relating to the Ju=
=dicial Department. beg leave
to submit the following report

Article — Judicial Department;

Sec. First — The judicial power of this state shall be vested in a Supreme Court, in District Courts, in County Courts, and in Justices of the Peace. The Legislature may also establish courts for municipal purposes in incorporated towns and cities, and may by a two third vote of the members elect to each branch of the Legislature, establish a court exclusively for probate business in any County where the same may be deemed necessary.

Sec. Second — The Supreme Court shall consist of a Chief justice and two associate justices, any two of whom shall constitute a quorum.

Sec. Third — The justices of the Supreme Court shall be elected at the judicial election and shall hold their office for the term of six years from the first Monday of July next after

[redacted] that in all criminal cases, amounting to felony or misdemeanor of [illegible], and the said Court and each of the justices thereof as well as all the district and County Judges shall have power to issue writs of habeas corpus at the instance of any person held in actual custody. They shall also have power to issue all writs and process necessary to the exercise of their appellate jurisdiction and shall be conservators of the peace throughout the State.

Sec Fifth— The State is hereby divided into four judicial districts. The Counties of Storey, shall constitute the first judicial district. The Counties of ~~Lake~~ Roop, Washoe, Lyon, and Churchill shall constitute the second judicial district. The Counties of Humboldt and Lander shall constitute the third judicial district; and the Counties of Douglas, and Esmeralda shall constitute the fourth judicial district. As the convenience

of the district may require, the Legislature may by a two thirds vote of all the members elected to each branch of the Legislature provide for additional judicial districts and the election of district judges therein.

There shall be elected at the first election by electors in each of the respective districts a district judge who shall hold his office until the first Monday of July next after such election, and shall continue in office for two years thereafter, after which said judges shall be elected by the qualified electors of their respective districts at the judicial election which immediately precedes the expiration of the term of their predecessors and shall hold their office for the term of six years.

Sec. Sixth. The district courts shall have original jurisdiction in law and equity in all civil cases except where the amount in dispute does not exceed five Hundred dollars exclusive

of district, and in the trial of all criminal cases punishable by death.

Sec Seventh— The Legislature shall provide for the election by the people; of a clerk of the Supreme Court, County Clerks, district Clerks, district Attorneys, Sheriffs, Coroners, and other necessary officers; and fix by law their duties and compensation provided that in no case shall compensation (as Salary and) exceed in aggregate fees in office the sum of six thousand dollars per annum to any one of such officers exclusive of the necessary expenses attendant upon the discharge of the duties of the office.

Sec Eight— There shall be elected at the first election under this constitution in each of the organized counties of this state, One County Judge who shall hold his office until the first Monday in July next after such election, and shall

Counties in office for two years thereafter. After which our County Judge shall be elected at the Judicial election next preceding the expiration of the term of office of his predecessor who shall hold his office for the term of four years. He shall hold the County Court which shall have jurisdiction in all civil cases where the title [to mining claims] or possession or boundaries of land are not involved; and the amount in dispute is over Two Hundred dollars $200. and does not exceed Five Hundred dollars $500. exclusive of interest, and in all criminal cases not otherwise provided for in this Constitution. The grand jury shall be empanelled in and make their presentments and findings of indictments to the County Court, and indictments of which the County Court has no jurisdiction, shall be transferred to the District Court for trial. The County Court shall also exercise Probate jurisdiction.

See Ninth. The County Courts,

shall have appellate jurisdiction in cases arising in Justices Courts, and such appellate jurisdiction from other inferior Courts and tribunals as the Legislature may prescribe but it shall have no original jurisdiction except as provided in the last preceding section.

Sec. Tenth. The times and places of holding the terms of the Supreme Court and the general and special terms of the district Courts within the several districts, County and probate Courts in the several Counties shall be as provided by law,

Sec. Eleventh. The Legislature shall provide for the speedy publication of all statute laws and for such judicial decisions as it may deem expedient, and all laws and judicial decisions shall be free for publication by any person, Provided that no judgement of the Supreme Court shall have effect until be operative

certify the opinion of the Court in such case shall be filed with the Clerk of said Court and publication thereof made in some newspaper published at the place of holding said Court or nearest thereto,

Sec — Twelfth — The Legislature shall determine the number of Justices of the Peace to be elected and fix by law their powers, duties, and responsibilities. Provided that they shall have no jurisdiction in the trial of cases where the title or right of possession of real estate or mining claims is involved. It shall also determine in what cases appeals may be made from justices courts to the County Court.

Sec — Thirteenth — No judicial officer except a justice of the peace shall receive to his own use any fees or perquisites of office.

Sec Fourteenth — The justices

of the Supreme Court shall re=
=ceive during their continuance
in office the sum of
thousand dollars per annum which
shall be paid quarterly. The Judge
of the district court of the first
Judicial district shall for five years
from the time of the first elec=
=tion under this constitution re=
=ceive the sum of
thousand dollars per annum
after which time he shall re=
=ceive the sum of thousand
dollars per annum and the judges
of all the other districts shall
each receive the sum of
thousand dollars per annum.

Sec Fifteenth — The Legislature
shall provide for the payment
of the salaries of the judges of
the Supreme and district Courts
quarterly in cash and shall pro=
=vide for the setting apart of
the first moneys from each years
revenue a sufficient amount to
pay said salaries, but the Legisla=
=ture shall have no power to in=
=crease or diminish the salaries

of said judges as herein provided.

Sec Sixteenth — The Salaries of the County judges shall be paid in each out of the first moneys received in the County Treasury in each year, in their respective Counties; and shall be as provided by law but shall not be increased or diminished during the time for which they shall have been elected except the salaries of the County judges elected at the first election under this Constitution.

Sec — Seventeenth, The justices of the Supreme Court and district judges shall be ineligible to any office except judicial offices during the term for which they shall have been elected, ~~or~~ and one year thereafter and all elections or appointments of any such judges by the people Legislature or otherwise during said period to any office other than judicial shall be void; whether such of-

—fice be executed by the Constitu=
=tion and Laws of the State or the
Constitution of the United States.

Sec Eighteenth — The judges
shall not charge juries in res=
=pect to matters of fact but
may state the testimony and
declare the law.

Respectfully

Wm. M. Stewart
Chairman

The Report was accepted &
Mr Bryan moved that
the Report be ordered
printed. agreed to.

Mr Stewart moved that
a select Committee of
seven be appointed to
take into consideration
report & the convention
on Sec. 2 of Article
of the Constitution Entitled
the Right of suffrage.

Mr Chapin moved to amend
the original motion so as to
include within the duties

of the Rand Committee the
Convention to restore
of same Articles.

Much amendments
accepted & the motion
as amended prevailed.

The President appoint
ed Messrs Mercer ~~Palmer~~ ~~Johnson~~
Young, Bryan Hite, Potter
and Rulston as such
Committee

On Bryan moved that the
Convention take a recess
till 2 o clock PM.

agreed to and
the Convention took a
recess till 2 o clock PM

[redacted]

Mr. Harrison from the Select Committee to which was referred Resolutions 142 of the Articles relative to the right of suffrage submitted the following report

Mr. President.

Your Committee, to which was referred Section 1 & 2, of the Articles of the Constitution, viz relative to the right of suffrage; beg leave to submit the following report— and recommend that the same be adopted, as a substitute for said sections.

Section - First - Every white male citizen of the United States (not laboring under the disabilities named in this Constitution,) of the age of twenty one years and upwards, who shall have resided in the State six months, and the district or County thirty days, next preceding any election, shall be entitled to vote for all offi= =cers, and upon all questions, submitted to the electors, at such election.

Sec - Second - No person who has been, or may be convicted of treason or any felony in this State or the Territory of Nevada, or elsewhere, unless restored to civil rights, and no idiot or insane person shall be entitled to the privilege of an elector. No traitor or person in any way hostile to the government of the United States; shall be permitted to vote at any election in this State and laws shall be passed effectually excluding all such persons from voting. And no person who has

voluntarily bear arms against the Federal Government in the rebellion of the so called Confederate States, or furnish such material aid to such rebellion, shall exercise the right of suffrage in this state until restored by the Federal Authorities or by a two third vote of the Legislature after the close of the war.

Jno M Bryan
Chairman

The Report was accepted.

Mr Bryan moved that the Report be amended and proceeded to ~~speak upon the question.~~ debate

The President decided that the Gentleman Mr Bryan was not proceeding in order.

Mr Bryan appealed from the decision of the Chair.

The question being "Shall the ~~decision~~ decision of the Chair stand

as the judgment of the
Convention.

The Convention sustained the decision of the Chair by an affirmative vote.

The question being on the adoption of the motion to ~~accept~~ the Report, made by Mr Bryan.

The same was adopted.

~~Mr Stevens of~~

Mr Mixson ~~of Lex~~ submitted the following substitute for Sec. 2 of the Report & on his motion the same was ordered printed

Sec. 2nd No person who has been, or may be convicted of treason, or felony in any State or Territory of the United States, unless restored to civil rights, and no person who after arriving at the age of twenty one years has voluntarily borne arms against the United States, unless a general amnesty be granted, by the Federal Government and no idiot, insane or disloyal person, shall be entitled to the privilege of an elector.

Mr Stevens submitted the following resolution, which was adopted, to the report now under consideration, & on his motion the same was laid on the table & ordered printed with the report

Resolved That the Committee on Rules be discharged from the further consideration of the resolution offered by the delegate from Alaska, providing for the admission of Alaska into the Union as a State, and that the same be referred to the Committee on Territories.

Mr Lamar submitted the following as a substitute for Sec 2 of the Report & on his motion the same was laid on the table & ordered printed with the report

Sec 2 No person of the age of twenty one years who is in any manner aided, or assisted, or who shall have given, or offered to give, or who is about to give, or offer any bribe, reward, or consideration to influence any other person to refrain from voting at any election provided for by the Constitution of this State, or who shall have given or received any challenge to fight a duel with deadly weapons, or who shall have been convicted of bribery, perjury, forgery, or other infamous crime, shall be disqualified from voting at any election in this State.

Sec 3 No person of the age of twenty one years who is in any manner aided, or assisted, or who shall have given, or offered to give, or who is about to give, or offer any bribe, reward, or consideration to influence any other person to refrain from voting at any election provided for by the Constitution of this State, or who shall have given or received any challenge to fight a duel with deadly weapons, or who shall have been convicted of bribery, perjury, forgery, or other infamous crime, shall be disqualified from voting at any election in this State.

Sec 3 No person of the age of twenty one years who is in any manner aided, or assisted, or who shall have given, or offered to give, or who is about to give, or offer any bribe, reward, or consideration to influence any other person to refrain from voting at any election provided for by the Constitution of this State, or who shall have given or received any challenge to fight a duel with deadly weapons, or who shall have been convicted of bribery, perjury, forgery, or other infamous crime, shall be disqualified from voting at any election in this State.

Sec 2.

[illegible] Kennedy submitted the following report which was accepted. On motion the report was laid on table & ordered printed

To the President & Members of the Constitutional Convention

Your Committee on Executive and other State Officers would respectfully submit the following report and recommend its adoption

M H Kennedy Chairman

Executive Department

Article

Sec. 1 The Supreme executive power of this State shall be vested in a chief magistrate, who shall be styled the Governor of the State of Nevada

Sec. 2 The Governor shall be elected by the qualified Electors, at the time and places of voting for members of Assembly and shall hold his office four years from the time of his installation, and until his successor shall be qualified.

Sec. 3 "No person shall be eligible to the office of Governor (except at the first election) who has not been a citizen of the United States and a citizen resident of this State, two years next preceding the election, and attained the age of twenty five years at the time of said election

Sec. 4 The returns of every election for Governor shall be sealed up and transmitted to the seat of Government directed to the Speaker of the Assembly, who shall during the first week of the session, open and publish them in presence of both houses of the Legislature.

The person having the highest number of votes shall be governor, but in case any two or more have an equal and the highest number of votes, the Legislature shall by joint vote of both houses, chose one of said persons so having an equal and the highest number of votes, for governor.-

Sec. 5 The governor shall be commander in chief of the army and militia of this State, except when they shall be called into the service of the United States

Sec. 6 He shall transact all executive business with the officers of Government, civil and Military, and may require information in writing from the officers of the Executive department, upon any subject relating to the duties of their respective offices

Sec. 7 He shall see that the laws are faithfully executed.

Sec. 8 The Governor shall be ex officio Superintendent of Public Instruction until such time as the Legislature may make said office separate and independent.

Sec. 9

When any office shall from any cause become vacant - and no mode is provided by the Constitution and laws for filling such vacancy, The Governor shall have power to fill such vacancy, by granting a commission which shall expire at the end of the next session of the Legislature or at the next election by the people -

Sec. 10

He may on extraordinary occasions convene the Legislature by proclamation and shall state to both houses when assembled the purpose for which they have been convened, and the Legislature shall enter on no Legislative business except that for which they were specially called together.

Sec. 11. He shall communicate by message to the Legislature at every session the condition of the State, and recommend such matters as he may deem expedient.

Sec. 12. In case of a disagreement between the two houses, with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper; provided it be not beyond the time fixed for the meeting of the next Legislature

Sec. 13. Every bill which may have passed the legislature shall before it becomes a law be presented to the Governor - If he approve, he shall sign it, but if not he shall return it with his objections to the house in which it originated, which shall enter the same upon the Journal and proceed to reconsider it. If after such reconsideration it again pass both houses by Yeas and Nays, by a majority of the members of each house it shall become a law, notwithstanding the Governors objections.

If any bill shall not be returned within ten days after it shall have been presented to him (Sunday excepted) the same shall be a law in like manner as if he had signed it, unless the legislature by adjournment prevent such return in which case it shall be a law unless the governor within ten days next after such adjournment shall file such bill with his objections thereto in the office of the Secretary of State, who shall lay the same before the Legislature at its next session in like manner as if it had been returned by the goodmor

Sec. 14 No person shall, while holding any office under the United States or this State, except the office of governor, except as hereinafter expressly provided and every person shall be disqualified from holding any office of trust or profit in this State who shall have been convicted of having given or offered a bribe to procure his election or appointment

Sec. 15 The Governor shall have the power to grant reprieves and pardons after conviction, for all offences except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason he shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon direct the execution of the sentence, or grant a further reprieve.

He shall communicate to the Legislature, at the beginning of every session, every case of reprieve or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date, and the date of the pardon or reprieve.

Sec. 16 "There shall be a Seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called "The Great Seal of the State of Nevada"

Sec. 17 All grants and commissions shall be in the name and by the authority of the people of the State of ~~Nevada~~ Nevada, sealed with the great seal of the State, signed by the governor, and countersigned by the secretary of state.

Sec 18 A Lieutenant Governor shall be elected at the same time and places and in the same manner as the Governor, and his term of office, and his qualifications of eligibility, shall also be the same. He shall be President of the Senate, but shall only have a casting vote therein. In case of a vacancy of the office of Governor the Lieutenant Governor shall be impeached, displaced, resign, die or become incapable of performing the duties of his office or be absent from the State, the President of the Senate shall act as Governor until the vacancy be filled or the disability shall cease.

Sec. 19. In case of the impeachment of the governor, or his removal from office, death, inability to discharge the powers and duties of the said office, resignation, or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor for the residue of the term, or until the disability shall cease. But when the governor shall, with the consent of the Legislature, be out of the state in time of war, at the head of any military force thereof, he shall continue commander-in-chief of the military force of the State.

Sec. 20 A Secretary of State, a Treasurer, an Attorney General and a Surveyor General shall be elected at the time and places and in the same manner as the governor; the term of office of each shall be the same as are prescribed for the governor. ~~Any~~ Every citizen shall be eligible to either of said offices

Sec. 21 The Secretary of State shall keep a true record of the official acts of the legislative & executive departments of the government and shall when required lay the same and all matters relative thereto before either branch of the Legislature and shall be ex officio Comptroller of State, and perform such other duties as shall be assigned him by law. Provided That whenever the Legislature deem it advisable they shall have the power to separate the offices of Comptroller of State and Secretary of State

Sec. 22 The Governor, Secretary of State and Attorney General shall constitute the Board of State Prison Examiners and as such have a general supervision of all matters connected with the State Prison.

They shall also constitute a Board of Commissioners whose duty it shall be, to examine all claims against the State other than those regulated by law and allow, settle or reject the same.

Sec. 23. The Governor Lieutenant Governor, Secretary of State, Treasurer, Attorney General, Surveyor General, Justices of the Supreme Court and Judges of the District Courts, shall be liable to impeachment for any misdemeanor in office. But judgement in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit under the State: but the party acquitted or convicted shall nevertheless be liable to indictment, trial & punishment according to law; All other civil officers shall be tried for misdemeanors in office in such manner as the legislature may provide.

Sec. 24 The Governor Lieutenant Governor, Secretary of State, Treasurer, Attorney General and Surveyor General, shall each at stated times during their continuance in office receive for their services a compensation, which shall not be increased or diminished during the term for which they shall have been elected, but neither of these officers shall receive for his own use, any fee for the performance of his special duties.

Mr Mitchell moved that
the Convention go into
Committee of the whole
on the Judiciary
& Mr Wales in the
Chair
Agreed to.
The Convention accordingly
resolved itself into
Committee of the whole
on the Judiciary
Mr Mitchell reported
that
The Committee of
the whole had under
consideration the Article
of the proposed Constitution concerning Municipal & other corporations"
had made some progress
therein but having not
gone through thereon
have directed their Chairman to report that fact
to the House & ask
leave to sit again

the Reporters were agreed to [illegible] it again.

Motion made that the Convention adjourn till 10 o'clock A.M.

Agreed to.

Resolution then approved.

Seventh Day
Wednesday June 11th 1783.

The Commission met pursuant to adjournment at 10 Oclock AM
Prayer by the Chaplain
Proceeding the Roll the following Delegates were
Present and the following
the absentees

Mr. Alban,	
Mr. Bull,	
Mr. Bechtel,	
Mr. Brosnan,	
Mr. Bryan,	
Mr. Chapin,	
Mr. Collins,	
Mr. Conner,	
Mr. Corey,	
Mr. Dorsey,	
Mr. Ent,	
Mr. Epler,	
Mr. Gibson,	
Mr. Haines,	
Mr. Harrison,	
Mr. Hickok,	
Mr. Hite,	
Mr. Hudson,	
Mr. Ing,	
Mr. Johnson,	
Mr Kennedy,	
Mr. Kinkead,	
Mr. Larrowe,	
Mr. McClure,	
Mr. Mitchell,	
Mr Nightingill,	
Mr Noteware,	
Mr. Plunkett,	
Mr. Potter,	
Mr. Ralston,	
Mr. Shamp,	
Mr. Small,	
Mr. Stark,	
Mr. Sterns,	
Mr Stewart,	
Mr. Virden,	
Mr. Wasson,	
Mr Youngs,	
M. President, [Mr. North,]	

Mr. Ralston,
Mr. Potter,
Mr. Plunkett,
Mr. Notoware,
Mr. Nightingill,
Mr. Mitchell,
Mr. McClure,
Mr. Larrowe,
Mr. Kinkead,
Mr. Kennedy,
Mr. Johnson,
Mr. Ing,
Mr. Hudson,
Mr. Hite,
Mr. Hickok,
Mr. Harrison,
Mr. Haines,
Mr. Gibson,
Mr. Kyler,
Mr. Kur,
Mr. Dorsey,
Mr. Dorr,
Mr. Donner,
Mr. Collins,
Mr. Chapin,
Mr. Ayres,

The Convention resolved itself into Committee of the Whole Mr Mitchell in the chair, resumed the consideration of the Article relating to "Municipal & other Corporations".

During the Committee ~~of the~~ rose. & Mr Mitchell reported that the Committee of the Whole had had under consideration the Article relating to "Municipal and other Corporations" & had made some progress therein but having not gone through the same, had directed him to report that fact to the ~~House~~ Convention and ask leave to sit again.

Leave was granted.

Mr Mitchell moved that the Convention take a recess till 2 o'clock P.M. Agreed to.

And the Convention then took a recess till 2 o'clock P.M.

2 o'clock P.M.

Mr Watson moved that the Special Order of the day, touching "the article relating to the Right of Suffrage" be deferred until the proposed amendments could be presented to the Convention in printed form.

Agreed to.

Mr Lawson, moved that the Convention go into Committee of the Whole on the article relating to "Municipal & other Corporations"

Agreed to

The Convention in Committee of the Whole. Mr Mitchell in the chair resumed the consideration of the said article.

Intime

Mr Mitchell reported that the Committee of the Whole had had under consideration the article relating to Municipal

and other Corporations had gone through the records had made some amendments thereto & directed the Chairman to report the same back to the Convention & recommend its adoption.

The report was agreed to & the Article laid on the table for a second reading.

Mr Johnson moved that the Convention do now go into Committee of the Whole on the Article relative to "the Rights of Franchise" agreed to.

The Convention in Committee of the Whole. Mr Young in the chair resumed the consideration of the said Article.

In time the Committee Rose

Mr Young reported that the Committee of the Whole had had under

consideration the Article relating to the Right of Franchise had made some progress therein but having not gone through there with had directed the Chairman to report that back to the Convention & ask leave to sit again

Leave was granted Mr Johnson moved that the Convention do now adjourn agreed to.

and at 4.40 oclock the Convention adjourned till 10 oclock tomorrow

Eighth Day
Thursday May 12th 1864

The Journal of Yesterday was read and approved, and the House adjourned, to meet at 10 Oclock A.M.
Prayer by the Chaplain.
On calling the Roll the following Delegates were found present

and the following answered

Mr. Alban,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr Sterns,
Mr. Stewart,
Mr. Virden,
Mr Wasson,
Mr. Younge,
Mr President, [Mr. North,]

The Journal of yesterday was
read and approved

On motion of Mr Johnson
~~Mr Dorsey~~ Leave of absence
was granted for one week
to Mr Dorsey of Anne Arundel Co.
Mr Hawkins offered the following

Resolved That no member
of the Convention be entitled
to speak oftener than twice
on the same subject during
one session, & be limited to
twenty ~~minutes~~ ~~the first time~~
and ten minutes in said speeches
without permission of the Convention.

Mr Johnson moved to amend the Resolution by striking out the words "And be limited to twenty and ten minutes on each Speech."

Agreed to.

And the Resolution as amended was then adopted.

Mr Potter moved that the Convention do now resolve into Committee of the Whole on the Article relating to the Right of Suffrage.

Agreed to.

The Convention in Committee of the Whole &c. Mr. Young in the Chair resumed the consideration of the said Article.

In time the Committee rose. and Mr Young reported that

The Committee of the Whole had had ~~the Article~~ under consideration the Article relating to the right of suffrage. had ~~made some progress therein but~~ ~~having not gone through~~

some thoughts thereunto had made some amendment thereto & directed the Chairman to report the same back to the Convention and recommend its passage.

The Report was adopted & the article laid on the table.

On motion of Mr Young the Convention took a recess till 2 O'clock P.M.

2. Oclock

Mr Edmond Esqr Delegate
from the County of Wythe
appeared and the Oath of
Office and allegiance was
administered to him by the
President

Mr Kinkade moved that
the President be instructed
to appoint Mr Jng on some
of the Standing Committees
agreed to.

Mr Chapin moved that
the Convention go into Com
mittee of the Whole on the
Article ~~relative~~ entitled
the Declaration of Rights"
agreed to

The Convention Committee
of the Whole Mr Mitchell in the
Chair resumed the considera
tion of said Article.

In time the Committee
rose and Mr Mitchell repor
ted that

The Committee of the
Whole had under con
sideration the Article Enti
tled the Declaration of Rights

had made some progress therein, but having not gone through, thereon, had directed their Chairman to report that fact to the Convention and ask leave to sit again; and further

~~The Report was accepted & leave to sit again,~~ the Committee recommend that rule 8 of the said Article be referred to a select Committee of five for consideration

The Report was agreed to and leave granted to sit again

Mr Gibson in accordance with the ~~suggest~~ recommendation of the Committee of the Whole moved the appointment of the select Committee

Agreed to

The President announced Messrs Ball Watson, Kennedy Young & Morgan as such Committee

Mr Bryan from the minority of the Standing Committee on the Judiciary submitted the following report.

Majority Report.

To the President and members of the Convention.

The undersigned the majority of the Judiciary Committee beg leave to submit the following report.

First. We recommend that the report of the majority of the Judiciary Committee be amended as follows.

In the first line of Section 10, strike out after the word, "holding," the following.

"The terms of the Supreme Court. Strike out"

Second. Also add at the end of the third line of Section 10, the following, "And the terms of holding the terms of the Supreme Court shall be as provided by law".

Third. Also amend said majority report by inserting a new

section to be renumbered as 11.

Proposed Section

Section 11. The Supreme Court, shall hold its regular sessions at least twice in each year and of=tener as the Legislature may pre=scribe, at the county seats in each of the several counties of this State; except the county of Knox, which is hereby attached for Judicial purposes, to the county of Thurston and shall hear all ~~cases~~ Causes on appeal, writs of error or certiorari upon the original papers certified to said Court; by the clerks of the Courts below.

Fourth Also fill the blank in the second line of Section 14, with the word "ten."

M. D. Lawhead
C. H. Wrigley

The Report was accepted and ordered printed

An motion of Mr Johnson at 4.35 o clock P.M. the Convention adjourned till 10 o'clock AM to morrow.

Ninth Day.
Friday November 13th 1863

The Convention met pursuant to adjournment at 10 o'clock A.M.

Prayer by the Chaplain

On calling the Roll the following delegates were Present

and the following absents

Mr. Alban,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr Noteware,
Mr Plunkett,
Mr. Potter,
Mr. Ralston.
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
Mr. President, [Mr. North,]

[redacted]

[redacted]

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ing

The Journal of yesterday was read and approved.

The President announced Mr Ing as an additional Member of the Standing Committee on Education.

Mr Ing added. Comon Education

Mr Conner moved that the Sergt: at arms be directed to abate the nuisance occasioned by workmen Roofing the Building

agreed to

The article entitled the Boundary was taken from the Table

unanimously
and adopted on a second reading as follows and the rules ordered suspended for a third reading.

ARTICLE

BOUNDARY.

SEC. 1. The Boundary of the State of Nevada shall be as follows:

Beginning at the point of intersection of the forty-second degree of north lattitude, with the thirty-eighth degree of longitude west from Washington—thence running south, on the said thirty-eight degree of west longitude, until it intersects the northern boundary line of New Mexico; thence due west along the northern boundary line of New Mexico, until such line intersects the easterly boundary of the State of California, thence northerly along the eastern boundary line of the State of California until such line intersects the forty second degree of north lattitude, thence east with said forty-second degree of north lattitude to the place of beginning

And whensoever Congress shall authorize the addition to the Territory or State of Nevada, ~~or of this~~ of any portion of the Territory, on the easterly border of the foregoing defined limits not exceeding, in extent, one degree of longitude, the same shall thereupon be embraced within and beec me a part of this State And furthermore provided, that all such Territory lying west of and adjoining the boundary line herein prescribed, which the State of California may relinquish to the Territory or State ~~or the Territory~~ of Nevada, shall thereupon be embraced within and constitute a part of this State

The Article ~~relating~~ entitled the Right of Suffrage was read a second time. as follows. viz

ARTICLE

RIGHT OF SUFFRAGE

SEC. 1. Every white male citizen of the United States [illegible] of the United States (not including Indians not taxed, Asiatics, Africans, and the descendants of Africans, and persons convicted of infamous crimes), of the age of twenty-one years and upwards, who shall have resided in the State six months, and the District or County thirty days next preceding any election, shall be entitled to vote for all officers and upon all questions submitted to the electors at such election.

SEC. 2. No person who has been or may be convicted of treason or felony in any State or Territory of the United States, unless restored to civil rights, and no person who, after arriving at the age of twenty-one years, shall have voluntarily borne arms against the United States, or held civil or military office under the so-called Confederate States, or either of them, unless amnesty be granted to such by the Federal Government, and no idiot, insane, or disloyal person, shall be entitled to the privilege of an elector.

SEC. 3. For the purpose of voting, no person shall be deemed to have lost a residence by reason of his absence while employed in the service of the United States or of this State, nor while a student in any seminary of learning, ~~nor while kept at any almshouse or asylum.~~

SEC. 4. No soldier in the Army of the United States shall be deemed a resident of this State in consequence of being stationed within this State.

SEC. 5. The right of suffrage shall be enjoyed by all persons otherwise entitled to the same who may be absent from this State in the military or naval service of the United States, *provided* that the payment of a poll tax or a registration of such voter shall not be required as a condition to the right of voting.

Provision shall be made by law regulating the manner of voting, holding elections and making returns of such elections.

SEC. 6. During the day on which any general election shall be held in this State, no qualified elector shall be arrested by virtue of any civil process.

SEC. 7. All elections by the people shall be by ballot, and all elections by the Legislature, or by either branch thereof, shall be viva voce.

SEC. 8. Provisions shall be made by law for the registration of the names of electors within the counties of which they may be residents and for the ascertainment by proper proofs, the persons who shall be entitled to the right of suffrage as hereby established.

SEC. 9. The Legislature shall ~~may further provide~~ provide by law for the annual payment of a poll tax for State purposes ~~exceeding~~ two dollars ~~in addition to taxes~~ by each elector, as a condition to the right of voting.

SEC. 10. All *bona fide* residents of the Territory of Nevada at the time provided in this Constitution for the first election to be held under its provisions, and who shall possess the other qualifications of electors herein provided—shall be entitled to vote for the election of all officers to be elected at such election and upon the question of adopting or rejecting this Constitution.

Mr. Johnson moved to amend the Second Section [illegible] by inserting in the 1st line between the words "the" and "payment" the word "Annual". And further to strike out the words "in any one year" in the second line.

Agreed to.

Mr Chapin moved to amend the 9th Section by inserting in the 1st line between the words "the" and "payment" the word "Annual". And further to strike out the words "in any one year" in the second line.

Agreed to.

Mr Ball offered the following as a substitute for Sec 9, of the Article

Sect. 9. The Legislature shall provide for the payment of an annual Poll Tax of not less than two dollars nor exceeding four dollars from each male person resident in the State, one half to be applied for State and one half for County purposes. No person shall be entitled to vote until such Poll Tax has been paid.

Mr Nightingill moved to amend Mr Ball's substitute by striking out the word "two" before the word "Dollars" where it first occurs. and inserting

11, 22

in lieu thereof the word "One." ... Negatived. And ... Motion withdrawn adopted.

The article as amended, was then adopted & ~~Ordered Engrossed and to be~~ ordered Engrossed for a ~~third~~ Reading.

The Article, Entitled: "Municipal and other Corporations" was read a second time as follows.

ARTICLES

MUNICIPAL AND OTHER CORPORATIONS

(in any manner relating to) (Except for municipal purposes)

SEC 1 The Legislature shall pass no special act ~~conferring~~ corporate powers, but cor-
porations may be formed under general laws; and all such laws may, from time to time,
be altered or repealed.

SEC 2 All real property and possessory rights to the same, as well as personal prop-
erty in this State, belonging to corporations now existing, or hereafter created, shall be
subject to taxation the same as property of individuals; *provided* that the property of cor-
porations formed for municipal charitable, religious or educational purposes may be exempted by
law

#1 SEC 3 Dues from corporations shall be secured by such individual liability of corpo-
rate ~~s~~ and other means, as may be prescribed by law, ~~and each individual stockholder~~ provided that Corporations
in corporations formed for mining purposes shall not be
~~shall be individually and personally liable for his proportion of all its debts and lia-~~
individually liable for the debts or liabilities of the
~~bilities~~ Corporation.

#2 SEC 4 All corporations ~~shall have the right to sue and be subject to~~ may sue and be sued in all
courts, in like cases as individuals.

SEC 5 ~~The Legislature shall have no power to pass any act granting and charter~~
No paper money shall be permitted
~~for banking purposes, and shall prohibit by law any person or persons, association, com-~~
to circulate as money in this State
~~pany or corporation from exercising the privilege of banking or creating paper to circulate~~
except the Federal Currency under the
~~as money~~ Laws of Congress.

SEC. 6 No right of way shall be appropriated to the use of any corporation until full
compensation be first made therefor

SEC 7 The Legislature shall provide for the organization of cities and incorporated
villages by general laws, and restrict their power of taxation, assessment, borrowing
money, contracting debts, and loaning their credit, ~~so as to prevent the abuse of such~~
~~power~~.

SEC 8 The State shall not subscribe to, or be interested in, the stock of any company
association or corporation

SEC 9 No county, city, town, or other municipal corporation, shall become a stock-
holder in any joint stock company, corporation, or association whatever, ~~or raise money~~
~~for~~ or loan its credit ~~to, or~~ in aid of any such company corporation or association.

Mr. Bryan moved to amend the second section, by inserting after the word "Corporations" on the second line, the words "& the extent of the stock or interest of each Corporator"

Mr. Chapin moved the following as a substitute amendment for that offered by Mr. Bryan. —

~~Sec. 2~~

"To strike out all of Sec. 3 as it stands & insert the following.

"Dues from Corporations, shall be secured by such ~~provisions~~ means as may be prescribed by law — Provided that Corporations ~~or Corporations formed under the Laws of the State~~ shall not be individually liable for the debts or liabilities of the corporation. —"

Mr. Freeman moved to amend Mr Chapin's substitute by adding there to the following words "Except to the extent of their interest in the Stock of the Corporation"

Which motion was negatived by the following vote. In the affirmative 9. In the negative 18.

The question recurring on the adoption of Mr Chapin substitute for Mr Bryans amendment, the Same was adopted, by the following vote

Mr. Allen,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Younge,
Mr. North,

23 12

Resolution adopted

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Mr Ed
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Mr Ralston offered the following as an amendment to the Article. viz.

Add to Sec 4.

And Existing Corporations Steam propelled Vessels navigating Steam navigating Lawes, till their registers Shall be renewed or changed

Stewart
Ralston
Johnson
Potter
~~Kennedy~~
Chuck

Mr Stewart moved that the proposed amendment of Mr Ralston be referred for consideration to a select committee of five

Bryan
2 oc

agreed to

[redacted]

[redacted]

[redacted]

Report.

Mr. Fennemore from the Select Committee to which was referred the ~~proposed~~ new Section & Article relative to Municipal Taxation this morning, submitted the following report

Mr President.

Your Committee to whom was refered the proposed Amendment to Sec 4 of the Article on Corporations beg leave to report the following, and ask that the same be adopted as an independent Section & numbered 4 & that number 4 be numbered 5 & that the remaining sections be numbered to Correspond.

No 4. Corporations created by or under the Laws of Nevada Territory shall be subject to the provisions of such laws, until the Legislature shall pass Laws regulating the Same, in pursuance of the provisions of this Constitution

Wm M. Stewart
Chairman

The Report was agreed to & the Committee discharged.

[redacted] [redacted]
[redacted] reported from
the Select Committee was
then read a first
and the Article as amen
ded was then unanimously
adopted

Mr Jennings moved that
the Convention do now
go into Committee of
the Whole on the article
entitled the Executive
Department.

agreed to

The Convention in the
Committee of the Whole
[redacted] Mr Potter in the
Chair commenced the
said Article.

In time the Committee
rose and Mr Potter
reported that

The Committee of the Whole House to which the Article relating to the Executive Department, have made some progress therein but having not gone through thereon have directed their Chairman to report that fact to the Convention and ask leave to sit again.

And further the Committee would recommend that Secs 4 [illegible] 23 24 & 25 be referred to a select Committee for consideration

The Report was agreed to & Leave to sit again granted

Mr Johnson moved in accordance with the recommendation of the Committee of the Whole for the appointment of a select committee

Agreed to.

The President announced Messrs Johnson, Bates Nolan Stark & Kinkead as such Committee.

Mr Latta moved that the duty of defining the Compatibles & Incompatibles of official duties

Sec 15-4-5. Rec Com S.

Johnson for Com

Johnson Bates Nolan Stark Kinkead

Latta fundamental of comp &

Mr Clarke 10 o'clock A.M. Ball. conclud. Monday Kennedy 1/2 past 8 carried

[illegible]

On calling the Roll the following Delegates were present, and the following absent

Mr. Albin,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
President, [Mr. North,]

21 88

submitted this preceding report.

Mr President

Your Committee to which was referred the several matters in relation to the Executive department, together with the proposed amendment, beg leave to report the accompanying as substitutes for the Sections to which they refer - and respectfully ask their adoption - also that Section 4 be adopted as reported from Committee, with the recommendation that in relation to the returns of the Elections of the State officers to be first elected under the State Constitution, the Subject be referred to the Committee on "Miscellaneous provisions and Schedule" with instructions to report proper provision for making such returns and canvass of Votes cast at such election,

Your Committee would likewise respectfully ask that they be discharged from the further consideration of the Subject matter of "Impeachment" and the additional Section proposed by Mr Lawrence in relation to the duties of the Attorney General, and that the Same be referred to the "Judiciary Committee"

The Governor shall have the power to suspend the collection of fines and forfeitures and to grant reprieves for a period not exceeding Sixty days, dating from the time of conviction, for all offenses except treason and cases of impeachment —

Upon conviction for treason he shall have the power to suspend the execution of the Sentence until the case shall be reported to the Legislature at its next meeting, When the Legislature shall either pardon, direct the execution of the Sentence, or grant a further reprieve — and if the Legislature shall fail or refuse to make final disposition of such case, the Sentence shall then be enforced at such time and place as the Governor by his order may direct —

The Governor shall communicate to the Legislature, at the beginning of every Session, every case of fine or forfeiture remitted, or reprieve, pardon or commutation granted, stating the name of the convict, the crime of which he was convicted, the Sentence, its date, and the date of the remission, commutation pardon or reprieve

The following as an additional Section to be placed in ~~matter~~ the Article embracing Miscellaneous Provisions

The Governor, Justices of the Supreme Court and Attorney General or a Major part of them, of whom the Governor shall be one — may upon such conditions and with such limitations & restrictions as they may think proper, remit fines and forfeitures, Commute punishments, and grant pardons after Conviction, in all Cases except treason and impeachment, Subject to such regulations as may be provided by Law relative to the manner of applying for Pardons

Also the following as a Substitute for Section 22.

also the following as a substitute for Section 22.

The Governor, Secretary of State and Attorney General, shall constitute a Board of State Prison Commissioners", which Board shall have such supervision of all matters connected with the State Prison, as may be provided by Law.

They shall also constitute a "Board of Examiners", with power to examine all claims against the State, (except Salaries or Compensation of Officers) and perform such other duties as may be prescribed by Law.

Geo. D. Johnson

Chas. Lum

[illegible] to the [illegible]
[illegible] and
the [illegible] [illegible]
The Chairman [illegible] he intends
this contract to [illegible] to
to [illegible] The Monday
next [illegible].

and ask [illegible]
from the Committee
adjourned till Monday
at 2 o'clock p.m.

Mr. Alban,

Mr Ball,

Mr Bechtel,

Mr. Brosnan,

Mr. Bryan,

Mr. Chapin,

Mr Collins,

Mr. Conner,

Mr. Corey,

Mr. Dorsey,

Mr. Ent,

Mr Epler,

Mr Gibson,

Mr Haines,

Mr. Harrison,

Mr Hickok,

Mr Hite,

Mr Hudson,

Mr Ing,

Mr Johnson,

Mr Kennedy,

Mr Kinkead,

Mr Larrowe,

Mr McClure,

Mr. Mitchell,

Mr Nightingill,

Mr Noteware,

Mr Plunkett,

Mr Potter,

Mr Ralston,

Mr Shamp,

Mr Small,

Mr. Stark,

Mr Sterns,

Mr. Stewart,

Mr. Virden,

Mr Wasson,

Mr Youngs,

Mr. President, [Mr North,]

The Journals of Friday, Saturday and Monday last were read and approved.

Mr. Stillman from a standing Committee, Reported the following Report viz.

Mr President.

Your Committee have, under consideration the [illegible] relating to the Executive Department, Election, Qualification and Impeachment of Officers, Boundaries, Relations [illegible] and are now prepared to report. Your Committee have agreed in the main with the Committee of Detail in the matter of the Executive Department. They have altered in it's [illegible] the System of biennial Sessions of the Legislature and have given to the Executive the Negative and Direction of the Majority of the Convention which [illegible] the first Session of our State Government, Annual Sessions of the Legislature shall be permitted — And which provide with the Power of the Two Houses, Concurrently, one additional Section, will [illegible] be found to accomodate this proposed Section, with the general frame work of the System devised for our permanent government, and which subject with other matter referred to Your Committee as may have respect their Duties, will at any day be reported to the Convention.

Legislative Department.

Section 1. The Legislative authority of this State shall be vested in a Senate and Assembly, which shall be designated the Legislature of the State of Nevada, and the Sessions of such Legislature shall be held at the Seat of Government of the State.

Section 2. The Sessions of the Legislature shall be biennial, and shall Commence on the first Monday of January next Ensuing the Election of its Members, unless the Governor of the State shall in the interim convene the Legislature by Proclamation.

Section. 3. The members of the Assembly shall be Chosen Bi-annually by the qualified Voters of their respective districts on the Tuesday next after the first Monday in November, and their Term of Office shall be two years from the day next after their Election,

Section IV. Senators shall be chosen at the same time and places as members of the Assembly by the qualified voters of their respective districts, and their term of office shall be four years from the day next after their election

Section V. Senators and members of the Assembly shall be duly qualified electors in the respective Counties and districts which they represent and the number of the Senators shall not be less than one third or more than one half of that of the members of the Assembly —

Section VI. Each house shall judge of the qualifications, elections, and returns of its own members, and choose its own officers (except the President of the Senate) and shall determine the rules of its own proceedings, may punish its members for disorderly conduct, and may, with the concurrence of two thirds of all the members elected, expel a member —

Section 7 Either House during its Session may punish by imprisonment any person not a Member, who shall have been guilty of disrespect to the House by disorderly or contemptuous behavior in its presence; but such imprisonment shall not extend beyond the final adjournment of the Session

Section 8 No Senator or member of the Assembly shall, during the time for which he shall have been elected, nor for one year thereafter be appointed to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased during such time, except such offices as may be filled by Elections by the People

Section 9 No person holding any lucrative office under the Government of the United States or any other power, shall be eligible to any civil office of profit under this State, provided that officers in the Militia, to which there is attached no annual Salary or Post Masters whose compensation does not exceed five hundred dollars per annum shall not be deemed lucrative.

Section 10 Any person who shall be convicted of the embezzlement or defalcation of the public funds of this State, or who may be convicted of having given or offered a bribe to procure his election or appointment to office, or received a bribe or reward to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this State.

Section 11 Members of the legislature shall be privileged from arrest on civil process during the session of the legislature and for fifteen days next before the commencement of each session

Section 12 When vacancies occur in either house, the Governor shall issue writs of Election to fill such vacancy —

Section 13 A majority of all the members elected to each house shall constitute a quorum to transact business, but a smaller number may adjourn from day to day and may compel the attendance of absent members in such manner, and under such penalties as each house may provide —

Section 14 Each house shall keep a journal of its own proceedings, which shall be published, & of the ayes and noes of the members of either house on any question shall, at the desire of any three members present, be entered on the journal

Section 15 The doors of each house shall be kept open during its session and neither house shall without the consent of the other adjourn more than three days nor to any other place than that in which they may be holding their session

Section 16 Any bill may originate in either house of the legislature, and all bills passed by one house, may be amended in the other

Section 17 Each law enacted by the legislature shall embrace but one subject and matters properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title; but in such case, the act revised, or section amended, shall be re-enacted and published at length—

Section 18 Every bill shall be read by sections on three several days, in each house unless, in case of emergency, two thirds of the house where such bill may be depending shall deem it expedient to dispense with this rule; but the reading of a bill by sections on its final passage shall in no case be dispensed with, and the vote on the passage of every bill or joint resolution shall be taken by ayes and noes to be entered on the journal of each house and a majority of all the members elected to each house, shall be necessary to pass every bill or joint resolution; and all bills or joint resolutions so passed, shall be signed by the presiding officers of the ~~houses~~ respective houses —

Section 19 No money shall be drawn from the treasury, but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public moneys shall be attached to, and published with the laws at every regular session of the legislature

Section 21 The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say;

Regulating the jurisdiction and duties of Justices of the Peace and of constables;

For the punishments of Crimes and misdemeanors

Regulating the practice of Courts of Justice;

Providing for changing the venue in civil and criminal cases;

Granting divorces;

Changing the names of persons;

Vacating roads, town plats, streets, alleys and public squares

Summoning and empannelling grand and petit Juries, and providing for their compensation;

Regulating County and Township business;

Regulating the Election of County and Township officers and their compensations;

For the assessment and collection of taxes for State, County and Township purposes;

In relation to fees or Salaries;

In relation to interest on money;

Providing for opening and conducting elections of State, County, or township officers, and designating the places of voting

Providing for the sale of Real Estate

belonging to minors or other persons laboring under legal disabilities

Section 21 In all the cases enumerated in the preceding sections, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State

Section 22 Provisions may be made by general law for bringing suit against the State as to all liabilities originating after the adoption of this Constitution

Section 23 The enacting clause of every law shall be as follows - "The people of the State of Nevada represented in Senate and Assembly do enact as follows -" And no law shall be enacted except by bill

Section 24 No lottery shall be authorized by this State nor shall the sale of lottery tickets be allowed

Section 25 The legislature shall establish a system of County and town government which shall be uniform throughout the State

Section 26 The Legislature shall ~~have power to~~ provide for the election of a board of County Commissioners in each County; and these commissioners shall jointly and individually perform such duties as may be prescribed by law

Section 27 Laws shall ~~be~~ made to exclude from holding office and serving on juries those who shall have been convicted of bribery, perjury, forgery, larceny, or other high crimes - and laws shall be passed regulating elections and prohibiting under adequate penalties all undue influence thereon from power, bribery, tumult or other improper practice

regular session, shall exceed sixty days, nor any Special Session convened by the Governor exceed twenty days —

Section 30. A homestead not exceeding one hundred and fifty acres of land outside of the limits of a town or city, or not exceeding one acre within the limits of any town or city, occupied as a residence by the family of the owner, together with all the improvements on the same of the aggregate value of five thousand dollars, shall be exempted from forced sale under any process of law, and shall not be alienated without the joint Consent of husband and wife. When that relation exists, but no property shall be exempt from sale for taxes or for the payment of obligations Contracted for the purchase of said premises or for the erection of improvements thereon; Provided, the provisions of this Section shall not apply to any process of law obtained by virtue of a lien given by the Consent of both husband and wife. And laws shall be enacted providing for the recording of such homestead within the County in which the same may be situated.

Section 31 All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property, as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

Section 32. No law shall be passed authorizing Married Women to carry on business as sole traders.

Section 38

33

The members of the Legislature shall receive as Compensation for their services, the Sum of five dollars for each days actual attendance upon their Legislative duties at any regular or Special Session, and thirty cents for each mile Traveled by the usual route in going to and returning from the place of meeting of the Legislature, and no further Compensation, or allowance shall be made to any member of the Legislature for the performance of his official duties, Provided, That an appropriation may be made for the payment of such actual Expenses as members of the Legislature may incur for postage, Express Charges, Newspapers, and Stationery not exceeding the Sum of Forty dollars for any general or Special Session, to each member; And further Provided, That the Speaker of the Assembly and Lieutenant Governor as President of the Senate, Shall each during the time of their actual attendance as such Presiding officers, receive an additional allowance of three dollars per diem.

Section 34.

In all elections for United States Senator such election shall be held in joint Convention of both houses of the Legislature; it shall be the duty of the legislature which convenes next preceding the expiration of the term of any such Senator, to elect his successor. If a vacancy in such Senatorial representation from any cause occurs, it shall be the duty of the legislature then in session or at the succeeding session thereof, to supply such vacancy. If the legislature shall at any time as herein provided, fail to unite in a joint Convention within twenty days after the commencement of the session of the Legislature, for the election of such Senator, it shall be the duty of the Governor by proclamation to convene the two houses of the Legislature in joint Convention within not less than five days, nor exceeding ten days from the publication of his proclamation, and the joint convention when so assembled shall proceed to elect the Senator as herein provided

Section 35

Every bill which may have passed the legislature shall, before it becomes a law be presented to the Governor. If he approves it he shall sign it but if not, he shall return it with his objections, to the house in which it originated, which shall enter the same upon the journal, and proceed to reconsider it. If after such reconsideration, it again pass both houses by ayes and noes by a majority of two thirds of the members elected to each house it shall become a law notwithstanding the Governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted) exclusive of the day on which he received it, the same shall be a law, in like manner as if he had signed it, unless the legislature by its final adjournment prevent such return in which case it shall be a law, unless the Governor within five days next after the adjournment, (Sunday excepted) shall file such bill, with his objection thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next session, in like manner as if it had been returned by the Governor; and if the same shall receive

See 35 Cont'd

the vote of two thirds of the members elected to each branch of the Legislature upon a vote taken by ayes and noes to be entered on the journals of each house if shall [illegible] a law

Thos Johnson
Chmn

Mr Ralston moved that the report be accepted & the Report ordered printed.

agreed to

Mr Gibson from the Standing Committee on Militia, submitted the following report viz

To the President—

Your Committee on Militia & State Prison & Police would beg leave to make this report—On Militia. And would ask of this Convention information as to the subject matter to be reported on under the head of Police

IX

Militia

Sec 1st The Legislature shall provide by law for organizing and disciplining the Militia, for the effectual encouragement of Volunteer Corps by some mode which may induce the formation and Continuance of at least one Volunteer Company in every County

Sec 2nd Militia officers shall be chosen as follows
Captains, Subalterns and Non Commissioned officers by the written Votes of their respective Companies
Field officers of regiments and Separate Battalions by the written Vote of the Commissioned officers of the respective regiments and separate battalions,
Brigadier-Generals and brigade inspectors by the field officers of their respective brigades,
Major-Generals, Brigadier-Generals & Commanding officers of regiments or Separate Battalions shall appoint the staff officers to their respective divisions, regiments or Separate battalions;
provided no person shall be eligible to any staff appointment unless he hath held a commission in the line

Sec 3rd The Governor shall nominate and with the Consent of the Senate appoint all Major Generals, Quarter Master Generals & Commissary Generals -
Adjutant General and other chiefs of staff departments and the aids-de Camp of the Commander in chief shall be appointed by the Governor and their Commissions shall expire with the time for which the Governor shall have been elected -

Sec 4th The Commissioned officers shall be Commissioned by the Governor, and no Commissioned officer shall be removed from office, unless by the Senate on the recommendation of the Governor - stating the grounds on which such removal is recommended, or by the decission of a Court Martial pursuant to law

Sec 5th The Legislature shall provide by law for the protection and safe Keeping of the Public Arms

Sec 6th The Governor shall have power to call for the Militia to execute the Laws of the State to suppress insurrections and repel invasions and whenever so called out the Militia shall receive the same pay as the United States regular Army

Sec 7th The Militia shall in all cases, except treason felony, or breach of the peace be priviledged from arrest while in attendance going to or returning from any duty enjoined by law.

D. W. Adams
Geo. L. Gibson

~~One Year~~ The Report was accepted & ordered printed.

Mr Rattle from the standing Committee on Education submitted the following report viz

To the President and Members of the Constitutional Convention

The undersigned members of the Com. on Education beg leave to submit the accompanying Report=

Education

Sec. 1st The Legislature shall Encourage by all suitable means the promotion of intellectual Scientific, Moral and agricultural improvement. It shall provide for the Election by the people. (at such time as the Judiciary may be Elected) of a Superintendent of Public instruction. Who shall hold his office for Two Years. and whose duties shall be prescribed by law. And who shall receive such Compensation for his services as the Legislature may direct.

Sec. 2. The Legislature shall provide for a system of Common Schools. by which a School shall be Established and Maintained in Each District at least six Months in Every Year. And any School district neglecting to Establish and maintain such a School, may be deprived of its proportion of the interest of the public fund during such neglect The Legislature shall within two Years. pass such laws as shall make it Compulsory with Parents and Guardians to send all children between the ages of four and sixteen years to some School. but no Sectarian instruction shall be allowed

at Any Public school Established by them

Sec 3. The proceeds of all Lands that may be granted by the United State to this state for the support of schools, which may be Sold or disposed of - all Estates of deceased persons who have died without leaving a will or heir - And also such a per cent as may be granted by Congress on the sale of - lands in this state. Shall be and remain a perpetual fund the interest of which, together with all the rents of the unsold lands and Such other means as the legislature may provide shall be inviolably appro = priated to the support of Common Schools throughout the State

Sec 4. The Legislature shall take Necessary for the protection, improvement, or other disposition, of the Five Hundred Thousand acres of land granted to the New states. under an act of Congress distributing the proceeds of the public lands among the several states of the Union, Approved A. D. 1841 And of all such lands as may hereafter be reserved or granted by the United States or by any Person or Persons to this state for the use of a University;

And the funds accruing from the rents or sale of such lands or from any other source for the purpose aforesaid, shall be and remain a permanent fund, the interest of which shall be applied to the support of said University, with such branches as the public convenience may demand. For the promotion of literature, the arts and sciences as may be authorized by the terms of such grant. And it shall be the duty of the legislature as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University.

Charles S. Cotton
Wm B. Hickok
E. L. Long

The Report was accepted and ordered Printed.

Johnson
Sub of Returns
Electors
mus pro 4 & schedules

Mr Johnson moved that the subject matters, relating to Impeachments, and the Duties of Attorney General, be referred to the Standing Committee on the Judiciary.

agreed to.

Mr Johnson moved that the subject of the Returns of Electors for the first State officers be referred to the committee on Miscellaneous Resolutions.

agreed to

Mr Hackett offered the following Resolution

[illegible] adopted

Mr Larrance moved that the Convention go into Committee of the Whole on the article ~~relative~~ entitled the Executive Department.

Agreed to

The Convention in Committee of the Whole [illegible] Mr Pattie requested the consideration of the said article.

In time the Committee rose & Mr Pattie reported that

The Committee of the Whole have had under consideration of article Entitled the Treasure Department have made some progress therein but having not gone through thereunto have directed their Chairman to report that fact to the ~~Con~~ Convention and ask leave to sit again.

The Report was agreed to and Leave to sit again granted.

Mr Stewart moved that the Convention go into Committee of the Whole on the article ~~relat~~ Entitled the "Judicial Department".

~~The Convention to~~ agreed to.

The Convention in Committee of the Whole. Mr Ralston in the chair, considered the said article.

In time the Committee rose & Mr Ralston reported that

The Committee of the Whole had under consideration the Articles Entitled, "Judicial Department" have made some progress therein but having not gone through therewith, have directed their Chairman to report that fact to the Convention & ask leave to sit again.

~~The report was agreed to~~

Leave was granted Pursuant to the previous Order of the Convention ~~that the~~ ~~adjourned to~~ took a recess till 1 Oclock P.M.

(Adjourn)

Mr Larrowe moved that the Convention go into Committee of the Whole for the further consideration of the Article entitled the Judicial Department" agreed to.

The Convention in Committee of the Whole. Mr Ralston in the chair resumed the consideration of the said article.

In time the Committee rose & Mr Ralston reported that The Committee of the Whole had had under consideration the article entitled the Judicial Department, have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the Convention and ask leave to sit again, and further the Committee ~~recommend the adop~~ would report back Sec 3 of the said article reading as follows viz

Sec 3 The Justices of the Supreme Court shall be elected at the Judicial election, and shall hold their office for the term of six years, from the first Monday of July next after their election, provided that there shall be elected by the electors at the first election under this Constitution, three Justices of the Supreme Court, who shall hold their office until the first Monday of July next, after their election, and they shall continue in office thereafter for one, three, and five years respective, and they shall determine, by lot, the term of office each shall fill, and the Justice drawing the shortest term shall be Chief Justice, and after the expiration of his term, the one having the next shortest term shall be Chief Justice, after which the senior Justice in commission shall be the Chief Justice

~~Sixth~~ and recommend the ~~adoption of~~ as far as the same is concerned the adoption of the following resolution viz

Resolved that it be the Committee again they will Consider the Executive to Report the Article under Consideration both to the Judiciary Committee with instructions to Increase the Number of Supreme Judges to ~~Seven~~ Nine and that such judges also be required to Hold their Courts in the Various districts by dividing the State into Nine districts by the Legislature by a two thirds vote to increase the Number by Public Convenience may require

N 17 — 11 C 70

Stevens resolutions for Johnson
offered in C.W. Nov 17th 1846

Leave was granted the Committee to sit again.

The question recurring on the adoption of the Resolution recommended from the Committee of the Whole

Mr Kennedy moved that the Convention do now adjourn till tomorrow at 9 oclock. A.M.

negatived

Mr Johnson. moved a call of the Convention.

agreed to

On calling the Roll the following Delegates were present and the following absent

Mr. Alban,
Mr. Bati,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Iug,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr Nightingill,

absent on Leave Messrs. Collins
Dorsey and Schamp.

The Sergeant at Arms
was despatched in search
of the absentees, not excused.

Subsequently, Mr Stewart
moved that the further

action of the call be suspended.

Which motion was agreed to and o-

On motion of Mr Gibson the Convention then adjourned until 9 o'clock AM tomorrow

Thirteenth Day.
Wednesday. March 18th 1863

The Convention met pursuant to adjournment at 9 O'clock A M

On calling the Roll the following Delegates were Present

And the following were absent

Mr. Ball,
Mr Bechtel,
Mr. Brosnan,
Mr. Bryan,
~~Mr. Chapin,~~
Mr. Colline,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingell,
Mr Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,

Thirteenth Day.
Wednesday. Nov. 7, 1866

The C.
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The Journal of yesterday was read and approved.

Mr. Keck asked leave of absence for Mr. Hudson of Lyon for one day.

Granted

Mr Ball submitted the following report from a Standing Committee.

To the Chairman & Members of the Constitutional Convention

Your Committee to whom was referred the subject of Taxation, Salaries, Printing &c beg leave to report the following Articles for adoption in the Constitution.

~~Chas H Ruff Chairman~~

#

Art — Taxation

Sect 1. The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property both real and personal, including mines and mining property; excepting such only, as may be exempted by law, for Municipal, educational, literary, scientific, religious or charitable purposes.

Art—
Sect. 1

Salaries—

The Governor shall receive an Annual Salary of Five Thousand Dollars. The Secretary of State shall receive an Annual Salary of Three thousand dollars. The State Comptroller shall receive an Annual Salary of Six thousand dollars. The State Treasurer shall receive an Annual Salary of Three thousand dollars.

The Attorney General shall receive an Annual Salary of Eighteen hundred dollars.

The Superintendent of Public Instruction shall receive an Annual Salary of Eighteen hundred dollars.

They shall receive no fees or perquisites, to their own use, for the performance of any duties connected with their offices.

Act—
Sect. 1

State Printer

A State Printer shall be elected at the time and places, and in the same manner, as the Governor, who shall hold his office for the term of two years.

He shall do all the public printing for the State which may be provided by law. The rates to be paid him for such printing shall be fixed by the Legislature, and shall neither be increased nor diminished during the term for which he shall have been elected.

Sabb Bull Chm^n

Mr Brennan moved that the Report be accepted and ordered printed

Agreed to.

Mr Bull from ~~the~~ a select committee submitted the following Report.

To the Pres[t] & Mem[bs] of the Conv[n]

The Special Committee to whom was referred Sect. 8. of the "Declaration of rights" have had the same under consideration, and beg leave to report the same back to the Convention, and would recommend its adoption without amendment. as follows viz.

"Sec 8 No person shall be held to answer for a capital or otherwise infamous crime (except in cases of impeachment, and in cases of militia, when in actual service, and the land and naval forces in time of war, or which this state may keep, with the consent of Congress, in time of peace, and in cases of petit larceny under the regulation of the legislature), unless on presentment or indictment of a grand jury, and in any trial in any court whatever, the party accused shall be allowed to appear and defend in person and with counsel as in civil actions. No person shall be subject to be twice put in jeopardy for the same offence, nor shall he be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use without just compensation, having been first made, or secured except in case of war, viz[t]. fire or great public peril in which cases compensation shall be afterwards made"

Your Committee further recommend the following Section be adopted and incorporated in the Article of the Constitution upon the "Judicial Department" ~~Art[l] Bill Chan[r]~~

Sect — The Legislature may modify or abolish the Grand Jury System.

Art[l] Bill Chan[r]

The Report was committed to the Committee of the Whole having the Article under

Mr Hickok moved that after the following

Resolved that the time of meeting of this convention in the morning, as ordered yesterday be changed from 9 o'clock to 10 o'clock A.M. & that the time of adjournment in the afternoon changed from 4 o'clock to 5 o'clock Adopted.

Mr Lemoure moved that the Convention go into Committee of the Whole on the Article entitled "The Declaration of Rights".

Agreed to.

The Convention in Committee of the Whole. Mr Youngs in the chair, resumed the consideration of the said article together with the report of the Select Committee to which was referred Sec 8. relative to the Grand Jury system.

In time the Committee rose and Mr Youngs reported that the

The Committee of the Whole had had the Article Entitled "The Declaration of Rights" under consideration, had gone through therewith, had made some amendments ~~thereto~~ and directed their Chairman to report the Article & the Convention and recommend its adoption.

~~The Report was agreed to and~~

The question thereupon was upon the Report of the Committee of the Whole.

On motion of Mr Rulison the ~~report~~ Article as amended was read by sections.

Section One was read

Equal.

SEC 1. All men are by nature free and ~~independent~~, and have certain inherent rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness ~~Whenever four fifths of the jurors agree upon a verdict it shall stand & have the same force and effect as a verdict.~~ The section was adopted viva voce.

The

Sec 2 of the Record was then read as follows

Sec 2 All political power is inherent in the people Government is institutued for the pro-
tection, security, and benefit of the people and they have the right to alter or reform the same
whenever the public good may require it"

"But the paramount allegiance of every citizen is due to the Federal Government, ~~in the~~
exercise of all authority conferred by the Constitution of the United States~~~~ and no power
exists in the people of this, or any other State of the Federal Union, to dissolve their con-
nection therewith, ~~except by consent of the people of all the States of the Union,~~ or per-
form any act tending to impair, subvert or resist the supreme authority of the Government
of the United States.

which confers full power to maintain & perpetuate its existence by resort to arms & force against domestic as well as foreign foes

The question being on the adoption of the Section as reported.

Mr Johnson moved as a substitute for the Committee amendment to amend the same by striking out all after the second clause & inserting in lieu thereof the following

"But the paramount allegiance of every citizen is due to the Federal Government, ~~in the~~
exercise of all authority conferred by the Constitution of the United States, and no power
exists in the people of this, or any other State of the Federal Union, to dissolve their con-
nection therewith, ~~except by consent of the people of all the States of the Union,~~ or per-
form any act tending to impair, subvert or resist the supreme authority of the Government
of the United States. The Constitution of the United States confers full power on the
Federal Government to maintain and perpetuate its existence, and whensoever any portion
of the States or people thereof attempt to secede from the Federal Union, or forcibly
resist the execution of its laws, the Federal Government may, by warrant of the Consti-
tution, employ armed force in compelling obedience to its authority."

Mr Lamoure moved to amend Mr Johnson substitute by striking out the words "in the Exercise of all authority conferred by the Constitution of the United States".

Mr Johnson raised a point of Order that the amendment offered by Mr Lamoure to his substitute was not in order.

The Chair decided the motion to be in Order.

Mr Johnson appealed from the decision of the chair.

The question being shall the decision of the Chair stand as the ~~decision~~ judgement of the Convention

The same was put & the Convention sustained the decision of the chair.

On calling the Roll.

Mr Lamoure ~~to~~ to Mr Johnsons substitute amendment was adopted by the following vote.

AYE.	NAY
Mr Albaugh,	
Mr. Bail,	
Mr. Bechtel,	
Mr. Brosnan,	
Mr. Bryan,	

[illegible] of the Union.

On calling the Roll. Mr Sawtelle's amendment as a substitute was adopted by the following vote.

AYE.		NAY
	Mr Alban,	
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
	Mr. Chapin, 2	
	Mr. Collins,	
3	Mr. Conner,	
4	Mr. Corey,	
	Mr. Dorsey,	
	Mr. Ent, 3	
5	Mr. Epler,	
	Mr. Gibson, 4	
	Mr. Haines, 5	
	Mr. Harrison,	
6	Mr Hickok,	
7	Mr Hite,	
	Mr. Hudson,	
	Mr. Ing, 6	
	Mr. Johnson, 7	
8	Mr. Kennedy,	
	Mr. Kinkead,	
9	Mr. Larrowe,	
10	Mr. McClure,	
11	Mr. Mitchell,	
	Mr Nightingill,	
	Mr Noteware, 8	
	Mr. Plunkett,	
	Mr. Potter,	
12	Mr. Ralston,	
	Mr. Shamp,	
	Mr. Small, 9	
13	Mr. Stark,	
	Mr. Sterns, 10	
	Mr. Stewart, 11	
14	Mr. Virden,	
	Mr. Wasson, 12	
	Mr. Youngs,	
15	Mr. President, [Mr. North,]	
15		12

The question recurring upon the adoption of Mr Johnson's substitute as amended. For the amendment of the Committee of the whole. The same was adopted by the following

AYE.	NAY.
Mr. Alban,	
Mr. Ball,	
Mr. Bechtel,	
Mr. Brosnan,	
Mr. Bryan,	
Mr. Chapin,	
Mr. Collins,	
Mr. Conner,	
Mr. Corey,	
Mr. Dorsey,	
Mr. Ent,	
Mr. Epler,	
Mr. Gibson,	
Mr. Haines,	
Mr. Harrison,	
Mr. Hickok,	
Mr. Hite,	
Mr. Hudson,	
Mr. Ing,	
Mr. Johnson,	
Mr. Kennedy,	
Mr. Kinkead,	
Mr. Larrowe,	
Mr. McClure,	
Mr. Mitchell,	
Mr. Nightingill,	
Mr. Noteware,	
Mr. Plunkett,	
Mr. Potter,	
Mr. Ralston,	
Mr. Shamp,	
Mr. Small,	
Mr. Stark,	
Mr. Sterns,	
Mr. Stewart,	
Mr. Virden,	
Mr. Wasson,	
Mr. Youngs,	
Mr. President, [Mr. North,]	

[redacted] thereupon Mr. [redacted] as an amendment to the motion to adopt [redacted]

Section 2 of the Report, as amended was then unanimously adopted.

Mr Ralston gave notice that he would ~~at~~ on tomorrow move to reconsider the vote just taken.

Mr Young gave notice that he would on tomorrow move to reconsider the vote just taken on the adoption of Mr Larrowe's amendments to Mr Johnson's substitute.

The following section as Reported ~~amended as~~ was then read.

SEC 3 The right of trial by jury shall be secured to all, and remain inviolate forever but a jury trial may be waived by the parties, in all civil cases, in the manner to be prescribed by law.

and of three fourths of the Jurors
upon a verdict, agree
agreed shall stand and have
the same force and effect as
a verdict by the whole jury,
provided the Legislature by
a two thirds vote of each Branch
thereof may require a unanimous verdict notwithstanding
any thing herein."

Mr Hite moved to amend
Sec 3 of the Report by striking
out the amendment
of the Committee of the whole
so as to add after the word "Law."

Which motion was lost
the section as reported was
adopted.

~~Sec's 4, 5, 6 & 7. as reported
without amendment were
adopted~~ The Report of the
Committee of the Whole as
amended was adopted &
the Article ordered Engrossed
~~for a second reading~~

Mr Sparrow moved that the
Article entitled the "Declaration of Rights" be read
a second time.

agreed to

The Secretary read the
Land Patent to Lay the Title
of [illegible] Bishop
Ed Orr & Thirty Seven
Acres of
McLarrow. the Con
vention adjourned
1 oclock PM.)

1 O'Clock P.M.

Mr Stewart ~~moved that the~~ re-commendation of the Committee of the whole, submitted yesterday, concerning Sec 3 of the article Entitled the "Judicial Department" offered the following Resolution.

Resolved that Sec 3 of the article entitled the "Judiciary Department" be recommitted to the Standing Committee on Judiciary with instructions to increase the number of Supreme Judges to six and that such Judges also be required to reside in the various districts as District Judges by the power of the Legislature by a two third vote to increase the number as public convenience may require.

~~That~~ after debate, Mr Stewart subsequently offered the following substitute ~~for~~ ~~his amend~~ the resolution ~~of~~ recommended by the Committee of the Whole viz

Resolved that section 2. of the article entitled, Judicial Department" as reported from the standing Committee on the Judiciary, be amended by adding thereto the following words, to wit

"provided the Legislature by 2/3 vote of each branch may at its second session or at any time thereafter increase the number to four".

Mr Johnson moved to amend the last substitute by striking out all after the word. "provided" & inserting in lieu thereof the words "that two additional Justices shall be elected at the Judicial Election in 1865

On calling the Roll the amendment offered by Mr Johnson was ~~offered~~ rejected by the following vote

AYE.		NAY.
	Mr. Alban,	1
	Mr. Ball,	2
	Mr. Bechtel,	3
1	Mr. Brosnan,	
	Mr. Bryan,	
	Mr. Chapin,	4
	Mr. Collins,	
2	Mr. Conner,	
	Mr. Corey,	5
	Mr. Dorsey,	
	Mr. Ent,	6
	Mr. Epler,	7
3	Mr. Gibson,	
	Mr. Hanes,	8
	Mr. Harrison,	
	Mr. Hickok,	9
	Mr. Hite,	10
	Mr. Hudson,	
4	Mr. Ing,	
5	Mr. Johnson,	
	Mr. Kennedy,	11
6	Mr. Kinkead,	
7	Mr. Larrowe,	
8	Mr. McClure,	
9	Mr. Mitchell,	
	Mr. Nightingill,	
10	Mr. Noteware,	
	Mr. Plunkett,	
	Mr. Potter,	12
	Mr. Ralston,	13
	Mr. Shamp,	
11	Mr. Small,	
12	Mr. Stark,	
	Mr. Sterns,	14
15	Mr. Stewart,	16
13	Mr. Virden,	
14	Mr. Wasson,	
15	Mr. Youngs,	
Mr. President,	Mr. North,	16

15 — 16

Johnson
Absentee Electors
Nov 19.

subsequently the words
substitute Resolution was
with his consent amended
so as to ~~read as follows~~
cause the amendment to
read as follows.

Provided that
the Legislature by a Majority
vote of the members elected to
Each branch may at its second
Session or at any time thereafter
provide for the Election of two
additional Associate Justices
and if so increased three shall
constitute a quorum.

And on calling the Roll
the same was adopted
by the following vote

Ayes	Nays.
Mr. Albaugh,	1
Mr. Ball,	2
Mr. Bechtel,	1
Mr. Brosnan,	2
Mr Bryan,	
Mr Chapin,	3
Mr Collins,	
Mr Comer,	3
Mr. Covey,	4
Mr. Dorsey,	
Mr Ens,	5
Mr Ephraim,	6
Mr. Gibson,	4
Mr Harnes,	5
Mr Harrison,	
Mr Hickok,	7
Mr. Hite,	8
Mr. Hudson,	
Mr. Ing,	9
Mr. Johnson,	6
Mr. Kennedy,	7
Mr. Kinkead,	8
Mr. Larrowe,	9
Mr. McClure,	10
Mr Mitchell,	11
Mr. Nightingill.	
Mr Noteware,	12
Mr. Plunkett,	
Mr. Potter,	10

Mr Sher … that
the con … now go
into th… e of the
Whole on … entitled
the Jud… ment
C…

Johnson
Abolish Judicial Election
Nov 19 1844

consequently the foregoing substitute Resolution was with his consent amended so as to ~~read as follows~~ cause the amendment to read as

6 Mr Johnson,
7 Mr Kennedy,
8 Mr. Kinkead,
9 Mr Larrowe,
10 Mr McClure,
11 Mr Mitchell,
Mr Nightingill.
12 Mr Noteware,
Mr Plunkett,
Mr Potter, 14
13 Mr Ralston,
Mr. Shamp,
14 Mr. Small,
15 Mr Stark,
Mr Sterns, 11
Mr Stewart, 12
16 Mr. Virden,
17 Mr Wasson,
18 Mr Youngs,
[Mr President, [Mr. North]] 13

Ayes 18
Nays 13

the Legislature that
vote of the
Each branch
person
provide
additional
and of
constitution
And
the same
by the

ority
ted to
to record
thereafter
of two
Justices
two shall
ed,
the Roll
pted
vote

Mr Stewart moved that the Convention do now go into the Committee of the Whole on the article entitled the Judicial Department

Agreed to.

the Convention on Commerce of the Whale. Mr. Ralston in the Chair recommended consideration of the said Articles.

In time the Committee rose and Mr Ralston reported that.

The Committee of the Whole had had under consideration the Article Entitled the Judiciary Department, have made some progress therein but having not gone through therewith, have directed their Chairman to report that fact to the Convention & ask leave to sit again

Leave was granted.

Mr Ralston moved that ~~the~~ Secs 3 & 6. of the Article relating to the Judiciary Dept be referred to the Judiciary Committee for consideration

Ralston Ref 3.6. to Jud Com.

Sec 11 to Legislature Com.

agreed to

Mr Ralston moved that Sec 11 of the same Article be referred to the Committee on Legislature Department agreed to

Resumption of business
by the Convention at
5.10 O'clock adjourned
till 10 O'clock A.M
tomorrow.

Fourteenth Day.

Friday Nov 19th 1830.

The Convention met pursuant to adjournment at 10 o'clock A.M.

Prayer by the Chaplain

Ordered the Roll the following Delegates were ~~then~~

present

And the following absent

——Mr. Alban,
——Mr. Ball,
Mr Bechtel,
Mr. Brosnan,
Mr Bryan,
Mr Clapin,
Mr. Collin,
Mr Cozens,
Mr. Corey.
Mr. Dorsey.
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr Haines,
Mr. Harrison,
Mr Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr Kinkead,
Mr Larrowe,
Mr. McClure,
Mr Mitchell,
Mr Nightingill,
Mr Noteware,
Mr Plunkett,
Mr. Potter,
Mr Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
President, [Mr. North]

The Journal of yesterday was read and approved

Mr Coney moved to increase the Standing Committee on Rhasedology, and miscellaneous Provisions by adding two members thereto. Agreed to

Johnson Stewart

The President announced Messrs Johnson & Stewart as the additional members of such committee

Mr Aulston. pursuant to notice. moved to reconsid the vote of the convention adopting Mr Johnsons amendment to Sec 2 of the article Entitled the Declara tion.

Bill of Rights" taken on yesterday
On calling the
roll, the motion to recommit was negatived
by the following vote

YEAS		NAYS
	Mr. Alban,	
	Mr. Ball,	
	Mr. Bechtel,	
	Mr. Brosnan,	
	Mr Bryan,	
	Mr. Chapin,	
	Mr Collin,	
	Mr. Comer,	
	Mr. Corey,	
	Mr. Dorsey,	
	Mr. Fut,	
	Mr Epler,	
	Mr Gibson,	
	Mr Haines,	
	Mr Harrison,	
	Mr Hickok,	
	Mr Hite,	
	Mr. Hudson.	
	Mr. Ing.	
	Mr. Johnson,	
	Mr Kennedy,	
	Mr. Kinkead,	
	Mr. Larrowe,	
	Mr. McClure,	
	Mr Mitchell,	
	Mr Nightingill,	
	Mr Noteware,	
	Mr Plunkett,	
	Mr Potter,	
	Mr Ralston,	
	Mr Shamp,	
	Mr. Small,	
	Mr Stark,	
	Mr Sterns,	
	Mr Stewart,	
	Mr. Virden,	
	Mr Wasson,	
	Mr. Youngs,	
	Mr President, [Mr. North,]	

14 20

[redacted]

from
day
[redacted]
by the

[redacted]

[redacted]
enter
my the
Inegotiated

Mr Darrow moved that
the Convention do now go
into Committee of the Whole
on the Article ~~relative~~ entitled
the "Judicial department"
agreed to.

The Convention in Committee
of the Whole. Mr. Ralston in
the Chair resumed the con
sideration of the said
Article.

In time the Committee
~~of the Whole~~ rose and Mr
Ralston reported that
the
Committee of the Whole had
had under consideration
the article entitled the
~~Declaration of Rights~~
"Judicial Department"
had made some progress
therein but having not
gone through the same

and directed the Chairman to report that fact to the Convention and ask leave to sit again.

Leave was granted Accordingly the Convention then at 12 o'clock, M took a recess till 1 o'clock PM

Article XIV.

Mr Jennings moved that the Convention go into Committee of the Whole on the article entitled the "Judicial Department"

Agreed to,

The Convention in Committee of the Whole, Mr Ralston in the Chair resumed the consideration of said article.

In time the Committee rose & Mr Ralston reported that

The Committee of the Whole had had under consideration the article entitled the "Judicial Department" have made some progress therein but having not gone through thereunto have directed their Chairman to report that fact to the Convention and ask leave to sit again, and further Your Committee would respectfully recommend

the recommitment of Secs
#6 & 8 to the Standing
Committee on Judiciary
with instructions to revise
& report the same back
to the Convention.

Leave to sit again
was granted & the Secs referred
to recommitted to the Judiciary Committee.
And pursuant to the
~~Order~~ rule the convention
adjourned till 10 o'clock
A.M. tomorrow

Thirtieth Day

Friday Nov 25th 1863.

The Convention met pursuant to adjournment at 10 O clock A M.

Pray'r by the Chaplain

On calling the Roll the following Delegates were Present

and the following were absent

Mr. Alban,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr Epler,
Mr Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr Mitchell,
Mr Nightingill,
Mr Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
Mr. North,]

Fred

1883.

The Co

morning

Adjo

10 O clock

A M.

Ray

Blair

Roll the

fellows

ters were

Absent

called to fall

ving Absent

The Journal of yesterday was read and approved.

~~Mr Hoke spoke to the question of privilege, concerning certain article published in the Mangsville Appeal "Cul"~~

Mess Tate Stems Lassiter & Chapin severally spoke to a question of privilege, on mis representations of themselves in the public prints.

Mr Johnson. from the Standing Committee on the ~~Judiciary~~ Legislative department to which was recommitted for revision &c. See 11 of

the articles entitled the Judiciary Department, submitted the following report.

Mr Speaker

Your Committee to which was recommitted Sec 11 of the article entitled the Judiciary Department" for revision and amendment respectfully submit the following.

Amend Sec 11 as follows
after word "laws" in first line add —
"of a public nature" —

Also amend further by striking out all after word "and" in fifth line and insert the following —

"a notice published by such Clerk in some newspaper at the place where said Court may be held or nearest thereto, that the opinion has been so filed."

Chas Johnson
Chmn Com

The Report was accepted & committed to the Committee of the Whole

Mr Hall moved that the Committee on Expenditures Etc. be instructed to report to the Convention at an early day an estimate of the expenses already & which may be incurred by it for printing, clerk hire, and incidental expenses.

Agreed to.

Mr Stewart from the standing Committee on the Judiciary to which was recommitted ~~the~~ Secs 4. 6. & 8 of the Article entitled the "Judicial Department" ~~submitted the 14th~~ for revision, submitted the following sections and recommend their adoption as follows.

Appl. 20.

The Supreme Court shall have appellate jurisdiction in all cases in equity; also in all cases at law which involve the title or possession of real estate, or mining claims, or the legality of any tax, impost, assessment, toll, or municipal fine, or in which the demand (exclusive of interest), or the value of property in controversy, amounts to two hundred dollars; also in all cases relating to the estates of deceased persons and of persons and estates of minors; and, also in all criminal cases amounting to felony on questions of law alone. The Court shall also have power to issue writs of Mandamus, Certiorari, Prohibition, and Habeas Corpus and also all writs necessary or proper, to the complete exercise of its appellate jurisdiction. Each of the Justices shall have power to issue writs of Habeas Corpus to any part of the state, upon petition on behalf of any person held in actual custody, and may

6

anything, important-

Adopted
Nov 2d

matter which admiralty before himself, or the Supreme Court, or before any chancery Court, or any County Court, in the State, or before any Judge of said Courts.

The District Courts shall have original jurisdiction in all causes in equity; also, in all cases involving the legality or validity of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand, exclusive of interest, or the value of the property in controversy amounts to ~~five~~ one hundred dollars, and also, in all criminal cases amounting to felony. And they shall have appellate jurisdiction in all cases arising in Justices' Courts, under such regulations as may be prescribed by law. In all cases relating to the Estates of deceased persons and of the persons and estates of minors, the District Courts and their Judges shall have power to issue writs of ~~habeas corpus~~ on petition by, or on behalf of, any person held in actual custody in their respective districts.

There shall be elected, at the first election, under this constitution, in each of the organized counties, of this state, one county judge, who shall hold his office until the first Monday in July next, after such election, and for four years thereafter. Thereafter one County Judge shall be elected at the judicial election next preceding the expiration of the term of office of his predecessor, who shall hold his office for the term of four years. He shall hold the County court, which shall have jurisdiction in all civil cases, ~~except~~ except where the title to real property, or boundaries of land, or mining claims, are not involved, and the amount in dispute is on money demand, or personal property, and the amount of such demand exclusive of interest or the value of such property is over two hundred dollars and does not exceed ~~five hundred~~ one thousand dollars, and in all criminal cases, not otherwise provided for, in this constitution. The Grand Jury shall be empanelled in and make their presentments, and

findings of indictments to the County Courts, and indictments of which the County Court has no jurisdiction, shall be transferred to the District Court for trial. The County Court shall also exercise Probate jurisdiction, and jurisdiction of the persons and estates of minors, until ~~a Probate Court be created~~ as herein provided. The County Court is and their Judges shall also have power to grant writs of habeas Corpus on petition by or on behalf of, any person in actual custody in their respective Counties.

Rights

The Report was accepted and ~~the the~~ committed to the Committee of the Whole.

Mr Sarrow moved that the Convention go into Committee of the Whole on the Article entitled the Judicial Department"

Agreed to.

The Convention in Committee of the Whole, resumed the consideration of the said Article

~~Judy~~ Mr Ralston in the chair

~~The Reporter~~

In Rome the Committee rose & Mr Ralston reported that ~~the Com~~

The Committee of the whole had had under consideration the article entitled the "Judicial Department" had made some progress therein but having not gone through the same had directed their Chairman to report that fact to the Convention and ask Leave to sit again

Leave was granted.

Leave of absence for one day was granted the President ~~Mr North~~.

On motion of Mr Stewart ~~Judge~~ Mr Ralston was appointed Assistant Reporter

At 12 oclock M pursuant to rule the Convention took a recess till 2 oclock PM

(Recd. Oct. 21)

Recall Jones Hite Dorsey Gilman Chapin

Leave of absence was granted for one day was granted to Messrs Gilman. Ball Corey Dorsey Chapin. & Hite

Mr Kimball moved that the four several articles Entitled The Declaration of Rights" The Boundary". The Right of Suffrage" & Municipal and other Corporations be referred to the Standing Committee on Rhraseology &c.

Agreed to

Mr Stewart moved that the Convention do now go into Committee of the Whole on the article entitled The Judicial Department.

Agreed to

The Convention in Committee of the Whole. Mr Young in the chair, resumed the consideration of the said article.

In time

The Committee rose & Mr Young reported that

Leave to sit again

The Committee of the Whole had had the article entitled the Indian Department under consideration had made progress therein but having not gone through therewith directed their Chairman to report that fact to the Convention & ask leave sit again.

Leave was granted

Mr Kennedy moved that the Report of the Committee of the Whole on the Article just reported be ordered to be granted.

Agreed to.

Mr Kennedy moved that the Convention do now go into Committee of the Whole on the article Entitled "The Militia"

Agreed to.

Mr Haines on account of the absence of the Chairman of the Standing Committee from which the "Militia" article emanated moved to reconsider the vote just taken.

which was agreed to. Mr Kennedy then withdrew his motion.

Mr Johnson moved that the Convention do now go into Committee of the Whole on the Article Entitled the "Legislative Department"

Agreed to.

The Convention in Committee of the Whole Mr Kinkead in the chair. considered the said article.

In time the Committee rose & Mr Kinkead reported that

The Committee of the Whole had had under consideration the article entitled the "Legislative Department". have made some progress therein, but having ~~go~~ not. gone through therewith & have directed their chairman to report that fact to the convention and ask leave to sit again

Leave granted.

Mr Hoteware moved that when the Convention adjourn it adjourn till Monday at 2 o'clock P.M.

On call the Roll the ~~Motion~~ ~~was~~ Motion was rejected by the following vote.

AYE	NAY
Mr. Alban,	
Mr Ball,	
Mr Bechtel	

N.Y.	N.Y.
	Mr Ball,
	Mr Bechtel,
	Mr. Bryan,
	Mr. Chapin,
	Mr. Collins
	Mr. Conner,
	Mr. Co ey,
	Mr. Dorsey,
	Mr. Ent
	Mr. Ep'er,
	Mr Gibson,
	Mr. Haines,
	Mr. Harrison,
	Mr. Hickok,
	Mr. Hite,
	Mr. Hudson,
	Mr. Ing,
	Mr. Johnson,
	Mr. Kennedy,
	Mr. Kinkead,
	Mr. Larrowe,
	Mr. McClure,
	Mr. Mitchell,
	Mr. Nightingill,
	Mr. Noteware,
	Mr. Plunkett,
	Mr. Potter,
	Mr. Ralston,
	Mr. Shamp,
	Mr. Small,
	Mr. Stark,
	Mr. Sterns,
	Mr. Stewart,
	Mr. Virden,
	Mr. Wasson,
	Mr. Youngs,
	(Mr. President :)
	Mr. North.

leave of absence was
granted to Messrs Johnson
Davies, Small, Steward
Hotchkiss, until Monday
~~the~~ next,

Mr Johnson moved that
the Convention now
adjourn till / oclock pm
Monday next,

Debate ensued, & pending
the question the hour of 5
oclock ~~the~~ time set for adjourn
ment having arrived, under
the Rule, the President pro
tem declared the Convention
adjourned till Monday
at 10 oclock a.m.

Saturday Oct. 21st 1865

The Convention met pursuant to adjournment at 10 o'clock a.m.
Prayer by the Chaplain
On calling the Roll the following delegates were present and the following absent

Mr. Albau,

Mr. Alban,

Mr. Ball,

Mr. Bechtel,

Mr. Brosnan,

Mr. Bryan,

Mr. Chapin,

Mr. Collins,

Mr. Conner,

Mr. Corey,

Mr. Dorsey,

Mr. Ent,

Mr. Epler,

Mr. Gibson,

Mr. Haines,

Mr. Harrison,

Mr. Hickok,

Mr. Hite,

Mr Hudson,

Mr Ing,

Mr. Johnson,

Mr Kennedy,

Mr. Kinkead,

Mr. Larrowe,

Mr. McClure,

Mr. Mitchell,

Mr. Nightingill,

Mr. Noteware,

Mr. Plunkett,

Mr. Potter,

Mr Ralston,

Mr. Shamp,

Mr. Small,

Mr. Stark,

Mr. Sterns,

Mr. Stewart,

Mr. Virden,

Mr. Wasson,

Mr. Youngs,

Mr. President, [Mr North,]

[illegible] 1868

[illegible] Convention
[illegible] Prayer
[illegible] Journal
[illegible] proceedings
[illegible] ain.
[illegible] ll the
[illegible] es were
[illegible] d the
[illegible] ng absent

The Journal of yesterday was read and approved.

Mr Gibson moved that the Convention go into Committee of the Whole on the article entitled the Legislature Department

agreed to.

The Convention in Committee of the Whole. Mr Gibson in the Chair considered the said article.

In time

The Committee rose and ~~reported~~ Mr Gibson reported that, ~~the Committee~~

The Committee of the Whole
have had the article Entitled
the "Legislative Department"
under consideration, have
gone through therewith, have
made some amendments thereto, and directed their Chairman
to report the article back
to the Convention & recom-
mend its adoption

The question being on the
adoption of the report; the
several Amendments made
in Committee of the Whole, ~~to~~
~~the article~~ were read

On motion of Mr Johnson
the Convention refused to agree
to the amendment made by the Committee
of the 18th Section striking out
the words "two thirds" and inserting
the words "three fourths".

Mr Johnson moved that the
further consideration of the
Report be deferred till Monday
next.

On calling the Roll the motion
was rejected by the following
vote.

AYE.		NAY.
	Mr. Alban,	
	Mr. Ball,	
	Mr. Bechtel,	—
—	Mr. Crosman,	
—	Mr Bryan,	

AYE.		NAY.
	Mr. Alban,	
	Mr Ball,	
	Mr Bechtel,	1
1	Mr Crosman,	
2	Mr. Bryan,	
	Mr. Chapin,	
	Mr Collins	
3	Mr. Conner,	
	Mr. Co ey,	
	Mr. Dorsey,	
	Mr. Eut	12
	Mr. Ep[illegible]or,	3
4	Mr Gibson,	
5	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	14
	Mr. Hite,	
	Mr. Hudson,	4
	Mr Ing,	6
1	Mr Johnson,	
7	Mr. Kennedy,	
	Mr. Kinkead,	7
	Mr. Larrowe,	8
8	Mr. McClure,	
	Mr. Mitchell,	9
	Mr. Nightingill,	10
9	Mr. Noteware,	
	Mr. Plunkett,	
	Mr. Potter,	
16	Mr. Ralston,	
	Mr. Shamp,	
	Mr. Small,	11
	Mr. Stark,	13
	Mr. Sterns,	15
	Mr. Stewart,	
	Mr. Virden,	14
11	Mr. Wasson,	
	Mr. Youngs,	15
	[Mr. President :]	
	Mr. North.	
	Ayes	11
	Nays	15

On motion of Mr Johnson the question was on agreeing to the Committee's amendments to Sec 33 fixing the per diem of members of the Legislature at "Eight" instead of "five" Dollars and the increased per diem of the presiding officers thereof at "two" instead of "three" Dollars. was put.

And the Convention agreed to the said amendments by the following vote.

Mr Alban,	A.Y.
Mr Ball,	
Mr Bechtel,	
Mr Bosman,	
Mr Bryan,	
Mr. Chapin,	
Mr Collins	
Mr Conner,	
Mr Co ey,	
Mr. Dorsey,	
Mr. Ent	
Mr. Ep'er,	
Mr Gibson,	
Mr. Harrison,	
Mr. Hickok,	
Mr. Hite,	
Mr. Hudson,	
Mr Ing,	
Mr Johnson,	
Mr. Kennedy,	
Mr. Kinkead,	
Mr. Larrowe,	
Mr. McClure,	
Mr. Mitchell,	
Mr. Nightingill,	
Mr. Noteware,	
Mr. Plunkett,	
Mr. Potter,	
Mr Ralston,	
Mr. Shamp,	
Mr. Small,	
Mr. Stark,	
Mr. Sterns,	
Mr. Stewart,	
Mr. Virden,	
Mr. Wasson,	
Mr. Youngs,	
[Mr. President.]	
Mr. North.	

Ayes 20
Nays 7

On
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Mr Johnson gave notice of a motion to reconsider the vote just taken.

The balance of the amendments were then agreed to En mass and the report was then adopted

At 12 O'clock M ~~the Con~~ pursuant to rule the Convention took a recess till 1 O'clock PM

1 Oclock Pm

Mr Kennedy asked Leave of Absence for himself until Wednesday next. Granted

Mr Hickok moved that the Convention do now adjourn to meet again at 2 oclock Pm on Monday next. Lost.

Mr Hickok asked leave of absence for himself until Monday next — Granted

Mr Darrow offered the following resolution.

Resolved that on and after Tuesday next, the sessions of this Convention commence at 10 Oclock AM ~~continue~~ & closing at 12 Oclock Pm. re-opening at 1 Oclock Pm. & closing at 4½ Oclock Pm. and again opening at 7 Oclock Pm & closing at the pleasure of the Convention.

Adopted.

On motion of Mr Bryan at 1.15 Oclock Pm the Convention adjourned till 1 Oclock on monday next.

Wednesday Nov 12th 1873.

The Convention met pursuant to adjournment at 9 o'clock AM

On calling the Roll the following Delegates were found present and the following leaving absent

Mr. Ball,
~~Mr. Bechtel,~~
Mr. Brosnan,
Mr. Bryan,
~~Mr. Chapin,~~
Mr. Collins,
~~Mr. Conner,~~
Mr. Corey,
Mr. Dorsey,
~~Mr. Ent,~~
Mr. Epler,
~~Mr. Gibson,~~
Mr. Haines,
Mr. Harrison,
~~Mr. Hickok,~~
Mr. Hite,
~~Mr. Hudson,~~
~~Mr. Ing,~~
Mr. Johnson,
Mr. Kennedy,
~~Mr. Kinkead,~~
~~Mr. Larrowe,~~
Mr. McClure,
~~Mr. Mitchell,~~
~~Mr. Nightingill,~~
Mr. Noteware,
Mr. Plunkett,
~~Mr. Potter,~~
~~Mr. Ralston,~~
Mr. Shamp,
Mr. Small,
~~Mr. Stark,~~
~~Mr. Sterns,~~
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
~~Mr. Youngs,~~
Mr. President, [Mr. North,]

Present ~~20~~ 19
Absent ~~0~~ 20
a Quorum not being Present

Mr. Ga
sergt
to rea

Mr. Ralston
moved that
the Secretary
read the
Journal of
Monday
which was read
by Mr. Johnson
the Secretary
[illegible]
[illegible]
[illegible]

[illegible] 3rd 1853

[illegible] Journals

[illegible] 7 oclock

[illegible] the following

[illegible] and the following

[illegible] causing absence

Mr Young moved that the Sergt-at-arms be directed to search for the absentees

Agreed to.

Mr Mitchell asked leave of absence for an indefinite period for Mr Blanket of Toney. Granted.

Messrs North Watson Ebler & Maclure appeared and took their seats.

The Journal of Saturday was read and approved

"Runaway" notice Mr Johnson moved to reconsider the vote adopting the amendment of the Committee of the Whole, to the article entitled "Legislature Dept. which fixed the [illegible] as [illegible] stated

~~the recorded declaration of~~
~~the preceding affirmative thus~~
~~of the two against three~~
~~declining.~~

On calling the Roll the motion to reconsider was negatived by the following vote.

	Mr. Alban,	NAY 1
	Mr Ball,	
/	Mr. Bechtel,	
	Mr. Brosnan,	
	Mr Bryan,	
	Mr. Chapin,	2
	Mr. Collins	
	Mr. Conner,	3
	Mr. Cooley,	
	Mr. Dorsey,	
	Mr. Ent.	4
	Mr. Epler,	5
2	Mr Gibson,	
	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	6
	Mr. Hite,	
	Mr. Hudson,	~~7~~
	Mr. Ing,	8
3	Mr Johnson,	
	Mr. Kennedy,	
	Mr. Kinkead,	9
	Mr. Larrowe,	10
	Mr. McClure,	
	Mr. Mitchell,	11
	Mr. Nightingill,	12
	Mr. Noteware,	
	Mr. Plunkett,	
	Mr. Potter,	13
4	Mr. Ralston,	
	Mr. Shamp,	
	Mr. Small,	
	Mr. Stark,	14
	Mr. Sterns,	15
	Mr. Stewart,	
	Mr. Virden,	
	Mr. Wasson,	16
	Mr. Youngs,	17
	[Mr. President:]	18
	Mr. North.	

Affirmative 4
Negative 19

[illegible] of the [illegible] "Times"

[illegible] Roll the [illegible] ways [illegible] ening

[illegible] Regn. [illegible] vote

Mr Sawyer moved that the article Entitled the Legislative Department be ordered Engrossed for a third Reading.

Agreed to.

On motion of Mr Ralston the motion instructing the ~~members~~ Sergt at Arms to ~~bring~~ search for the absentees was rescinded

~~Agreed~~

Mr Johnson moved that the Convention do now adjourn

agreed to

13/5

And at 2 oclock P M the Convention adjourned till 10 oclock A M tomorrow

Eighteenth Day
Tuesday Nov 24th 1863

The Convention met pursuant to adjournment at XX Oclock.
Prayer
Prayer by the Chaplain
On calling the roll the
following Delegates were
Present and the follow
ing were absent

The Jou
was re
Mr C
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Mr. Albau,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr Dorsey,
Mr Ent,
Mr Epler,
Mr Gibson,
Mr Haines,
Mr Harrison,
Mr Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing.
Mr Johnson,
Mr Kennedy,
Mr. Kinkead,
Mr Larrowe,
Mr McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr Noteware,
Mr Plunkett,
Mr Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr Youngs,
Mr President, [Mr. North,]

Present 28.
Absent 11

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cation
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Eng
Friday
6
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Friday
Pro
Prayer
On
following
Present

53

unanimously
o'clock.

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ll the
were
d the following
were absent

The Journal of Saturday was read and approved.

Mr Potter from the Standing Committee on Education submitted the following report

To the President & Members of the
Constitutional Convention

Gentlemen

The Committee of Education beg
to submit the following as their
addition to their former report

They also recommend that Section
2 of their previous report be so changed
that in line six the word "four" be
stricken out and six inserted and
that "sixteen" be stricken out and
fourteen inserted

Sec 5.

As Mining is the highest and
most permanent interest in this State, it
shall be the duty of the Legislature, to foster
it by appropriate Educational means =
To this end a Polytechnic School
shall be Established in connection with
the University, for the teaching of all
the Sciences and of Mining Engineering
Said school to be free to all pupils.
between the ages of 14 & 21 years

Sec. 6 The Legislature shall provide a special tax of one half of one mill on the Dollar of all taxable property in the State, for the support and Maintenance of said School = Provided that at the End of ten years they may reduce said Amount to one quarter of one Mill on each dollar of taxable Property

Sec 7. The Governor, Secretary of State and the Superintendent of Public Instruction shall for the first four years be a Board of Regents to control and manage the affairs of the University and the funds of the same, but the Legislature shall at the Expiration of that time provide for the Election of a Board of Regents and define their duties

= Chas S Potter
Wm B. Hickok
E. C. Ellis

On motion the Report accepted and Orders framed

Buckalew moved that the convention take up the article entitled "Judiciary Department, as amended and reported from the Committee of the Whole. for a second reading.

Agreed to.

The article was then read by sections. as follows.

SEC 1 The Judicial power of this State shall be vested in a Supreme Court, in District Courts in County Courts and in Justices of the Peace The Legislature may also establish courts for municipal purposes, in incorporated towns, and cities, and may, by a two-third vote of the members elect to each branch of the Legislature, establish a court with original Jurisdiction over the estates of deceased persons, and the persons and estates of minors in any county where the same may be deemed necessary.

Mr Bryan moved to amend section one by inserting after the ~~last~~ word "minors" where it last occurs. the words "and insane persons"

Agreed to.

SEC 2 The Supreme Court shall consist of a Chief Justice and two Associate Justices, a majority of whom shall constitute a quorum, *provided* that the Legislature, by a majority of the members elected to each branch, may at its second session or at any time thereafter. provide for the election at the Judicial election of two additional Associate Justices, and if so increased, three shall constitute a quorum. The concurrence of a majority of the whole court shall be necessary to render a decision.

SEC. 3. The Justices of the Supreme Court shall be elected at the Judicial election, and shall hold their office for the term of six years, from the first Monday of July next after their election, provided that there shall be elected at the first election under this Constitution, three Justices of the Supreme Court, who shall hold their office until the first Monday of July next, after their election, and they shall continue in office thereafter for two, four and six years respectively, and they shall determine by lot the term of office each shall fill, and the Justice drawing the shortest term shall be Chief Justice, and after the expiration of his term, the one having the next shortest term shall be Chief Justice, after which the senior Justice in commission shall be the Chief Justice, and in case the commission of any two or more of said justices shall bear the same date, they shall determine by lot who shall be Chief Justice.

SEC 4 The Supreme Court shall have appellate jurisdiction in all cases in equity; also in all cases at law which involves the title or possession of real estate or mining claims, or the legality of any tax impost, assessment, toll or municipal fine, or in which the demand exclusive of interest or the value of property in controversy amounts to two hundred dollars, also in all cases relating to the estates of deceased persons and of persons and estates of minors; and, also in all criminal cases amounting to felony on questions of law alone. The Court shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and also all writs necessary or proper to the complete exercise of its appllate jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State, upon petition on behalf of any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court, or any County Court in the State, or before any Judge of said Courts

Mr Johnson moved to amend the 4th section. by inserting after the word "minors" in the sixth line, the words, "and insane persons"

Agreed to.

Mr Stewart moved to amend the said section by striking out in the fifth & sixth lines. the words "~~also in all~~" cases relating to the Estates of Deceased persons and of persons and Estates of minors and insane persons". and inserting in lieu thereof the Words "~~also~~ other civil cases not included in the general sub Divisions of Law and Equity"

Agreed to

Sec 5. The State is hereby divided into four Judicial Districts. The county of Storey shall constitute the first Judicial District. The Counties of Washoe, Ormsby, and Lyon, shall constitute the second Judicial District. The Counties of Humboldt and Lander, shall constitute the third Judicial District and the Counties of Douglas and Esmeralda, shall constitute the fourth Judicial District. For judicial purposes the County of Roop shall be attached to the County of Washoe, and the County of Churchill shall be attached to the County of Lyon until otherwise provided by law. As the convenience of the public may require, the Legislature may, by a two-third vote of all the members elected to each branch of the Legislature, provide for additional Judicial Districts, and the election of District Judge therein. There shall be elected at the first election, by the electors in each of the respective Districts, a District Judge, who shall hold his office until the first Monday of July next, after such election, and for two years thereafter, after which said Judge shall be elected by the qualified electors of their respective Districts at the Judicial election which immediately precedes the expiration of the term of their predecessors and shall hold their office for the term of six years. The Legislature shall have no power to grant leave of absence to a Judicial officer, and any such officer who shall absent himself from the State for upwards of thirty consecutive days shall be deemed to have ~~forfeited~~ vacated his office

Mr Hale moved to amend the 5th Section by striking out in the 17th ~~Section~~ line before the words "Consecutive days". the word "thirty" and inserting in lieu thereof the word "fifty"

negatived Ayes 8 Nays 21.

Mr Mitchell moved to amend the said section by striking out the word "thirty" aforesaid and inserting in lieu thereof the word "forty"

Agreed to.

Sec 6 The District Court shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or possession of real property, or mining claims, or the legality of assessment, toll or municipal fine, and in all other cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to one thousand dollars and also in all criminal cases amounting to felony And they shall have appellate jurisdiction to try de novo, under such regulations as may be prescribed by law, all cases relating to the estate of deceased person and of the persons and estates of minors. The District Court and then Judges shall have power to issue writs of *habeas corpus* on petition by or on behalf of any person held in actual custody in their respective Districts

Mr Johnson moved to amend the Section by inserting in the 2nd line between the words "of" and "assessment" the words "any tax, impost"

agreed to.

Mr Stewart moved to amend the section by inserting in the 5th line between the words "Dollars" and "and" the words "also in all other civil cases not provided for in this constitution"

agreed to.

Sec 7. The Legislature shall provide for the election by the people, of a Clerk of the Supreme Court, County Clerks, County Recorders, District Attorneys, Sheriffs, Public Administrators, and other necessary officers, and fix by law, their duties and compensation; *provided* that in no case such compensation shall exceed, in the aggregate, as salary and fees in office, the sum of four thousand dollars per annum, to any one of such officers, exclusive of the necessary expenses attendant upon the discharge of the duties of the office, except the Sheriffs, whose compensation in fees and salary shall in no case exceed the sum of six thousand dollars per annum, exclusive of expenses incurred in the discharge of said office. County Clerks shall be *ex-officio* Clerks of the Courts of Record in and for their respective Counties

Mr Young, moved to amend the 7th section by striking out in the second line the words "County Recorder" and inserting "Registrar"

Mr Epler moved to amend the section by inserting after the word "Sheriffs" the words "County surveyor"

Agreed to.

Mr Notewane moved to amend the section by inserting after the words "County Recorders" the words "who shall be ex officio County Auditors"

Agreed to.

Mr Notewane moved to amend the section by inserting between the words "Compensation" and "provided" in the 4th line ~~the~~ word the words "also fix ~~the~~ compensation and designate the number of deputies which the various County officers shall from time to time be entitled"

Negatived.

Mr Chapin moved to amend the Section by inserting before the word "expenses" in the 4th line the word "necessary"

Agreed to

Mr Stewart moved to amend the Section by inserting between the words "discharge" and "of" the words "of the duties" Agreed to.

SEC 5 There shall be elected, at the first election under this Constitution in each of the organized counties of this State, one county Judge, who shall hold his office until the first Monday in July next after such election, and for two years thereafter. After which one County Judge shall be elected at the Judicial election next preceeding the expiration of the term of office of his predecessor, who shall hold his office for the term of four years. He shall hold the County Court which shall have jurisdiction in all civil cases where the title, possession, or boundaries of land, or mining claims, are not involved, and the amount in dispute is a money demand, or personal property, and the amount of such demand, exclusive of interest or the value of such property, is over two hundred dollars and does not exceed one thousand dollars, and in all criminal cases, not otherwise provided for in this Constitution. The Grand Jury shall be empannelled in and make their presentments and finding of indictments to the County Court, and indictments of which the County Court has no jurisdiction, shall be transferred to the District Court for trial. The County Court shall also exercise Probate jurisdiction, and jurisdiction of the persons and estates of minors until a Probate Court be created as herein provided. The County Court and their Judges shall also have power to issue writs of *habeas corpus* on petition by or on behalf of, any person in actual custody in their respective counties

Mr Conner moved to amend the Section by inserting between the words "shall" and "hold" the words "reside at the County seat and"

Negatived.

Mr Johnson moved to amend
the section by ~~after~~ inserting
after the word "Town" in the
fifth line the words "from
the first monday of July next
preceding ~~the~~ an Election."
Agreed to.
Mr Johnson moved to amend
the section by inserting
in the 15th line between the
words "minors" and "until" the
words "and insane persons"
Agreed to
The Hour of 12 O'clock M.
having arrived according
to rule the Convention
took a recess till 1 O'clock
PM

(Section No.)

The question under consideration relating to Section of the article entitled the Judicial Department.

Mr Johnson moved to amend said Section by striking out the word "Judge" in the 4th line the words "in each County" and further by inserting after the word "predecessor" the words "or succeeding the Organization of such County."

Agreed to

Mr. Nightingill moved to amend the Section by striking out the word "four" before the word "years" in the fifth line and inserting the word "two".

On calling the Roll the motion was negatived by the following vote

Mr. Alban,	N.A.Y.
Mr Ball,	
Mr. Bechtel,	
Mr Brosnan,	2
Mr. Bryan,	3
Mr. Chapin,	3
Mr. Collins	4
Mr. Conner,	4
Mr. Co[illegible]y,	5
Mr Dorsey,	
Mr. Ent.	6
Mr. Ep'er,	4
Mr Gibson,	7
Mr Haines,	
Mr. Harrison,	
Mr. Hickok,	8
Mr. Hite,	20
Mr. Hudson,	6
Mr. Ing,	9
Mr. Johnson,	10
Mr. Konnedy,	
Mr. Kinkead,	11
Mr. Larrowe,	7
Mr. McClure,	12
Mr. Mitchell,	8
Mr. Nightingill,	9
Mr. Noteware,	
Mr. Plunkett,	11

On this question the yeas and nays were taken

On calling the Roll the
following Senators answered to their names:

Mr. Alban,
Mr Ball,
Mr. Bayan,
Mr. Chapin,
Mr Collins
Mr. Corey,
Mr Dorsey,
Mr. Ep'or,
Mr. Haines,
Mr. Harrison,
Mr. Hite,
Mr. Hudson,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr Plunkett,
Mr. Ralston,
Mr. Shamp,
Mr. Stark,
Mr. Stewart,
Mr. Wasson,
[Mr. President:]
Mr. North.

Mr Hopson moved to amend the Section by striking out the words "one" and the second and fourth times and inserting in lieu thereof the letter "a"

Agreed to

Sec. 9. The County Courts shall have appellate jurisdiction in cases arising in Justices Courts, and also such appellate jurisdiction from other inferior Courts and tribunals as the Legislature may prescribe, but it shall have no original jurisdiction, except as provided in the last preceding section.

Sec. 10. The times and places of holding the Term of the Supreme Court, and the ~~several regular sessions of the District Courts~~, within the several Districts, County and District Courts in the several Counties, shall be as provided by law.

Mr Bryan moved that the following be substituted for Secs 9 & 10.

The Supreme Court shall hold its regular sessions at least twice in each year, and oftener as the Legislature may prescribe, at the county seats in each of the several Counties of this State except the County of Roop which is hereby attached for Judicial purposes to the County of Washoe and shall hear all causes on appeal, writs of error, or *certiorari*, upon the original papers certified to said Court by the Clerks of the Courts below.

except the Co of Churchill which is attached to Lyon Co for Jud purposes

On calling the Roll the ~~question~~ substitute was negatived by the following vote

NAY.	Mr. Alban,	NAY.
2	Mr Ball,	2
3	Mr Fechtel,	3
4	Mr. Frosman,	4
1	Mr Bryan,	
5	Mr. Chapin,	5
	Mr. Collins	
2	Mr. Conner,	
6	Mr Co ey,	6
	Mr Dorsey,	
7	Mr. Ent.	7
3	Mr. Epler,	
8	Mr Gibson,	8
	Mr. Haines,	

by the following vote

	Mr. Allan,	YEAS.
	Mr Ball,	2
	Mr. Bechtel,	3
	Mr. Bosman,	4
1	Mr. Bryan,	
	Mr Chapin,	5
	Mr. Collins	
2	Mr Conner,	
	Mr Co ey,	6
	Mr. Dorsey,	
	Mr. Ent.	7
3	Mr. Epler,	
	Mr Gibson,	8
	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	9
	Mr. Hite,	
	Mr. Hudson,	10
	Mr. Ing,	11
	Mr Johnson,	12
	Mr. Kennedy,	
	Mr. Kinkead,	13
4	Mr. Larrowe,	
	Mr. McClure,	14
5	Mr. Mitchell,	
6	Mr. Nightingill,	
	Mr. Noteware,	15
	Mr. Plunkett,	
	Mr. Potter,	16
	Mr. Ralston,	17
	Mr. Shamp,	
	Mr. Small,	18
	Mr. Stark,	19
	Mr. Sterns,	20
	Mr. Stewart,	21
	Mr. Virden,	22
	Mr. Wasson,	23
	Mr. Youngs,	24
	[Mr President]	
	Mr. North.	25
	Affr	6
	Neg	20

made from Justices Courts to County Courts

SEC 12. No Judicial officer, except a Justice of the Peace, shall receive to his own use any fees or perquisites of office

SEC. 13. The Justices of the Supreme Court and of the several District Courts, shall each receive the sum of eight thousand dollars per annum; *provided* that after five years the Legislature may diminish said amount.

Mr Coney moved to amend the 3d Sec. by striking out the words "the sum of" in the second line. and inserting in lieu thereof the words ~~"at"~~ "a sum not exceeding" and further to strike out the words following the word "per annum."

Johnson negatived.

Mr ~~Stevens~~ moved to amend the Sec by striking out the word "Eight" before the word "thousand" in the second line, and inserting in lieu thereof the word "seven"

On calling the Roll the amendment of Mr ~~Stevens~~ Johnson prevailed by the following vote

	Mr. Alban,	NAY.
	Mr. Ball,	
	Mr. Beebtol,	/
2	Mr. Brosman,	
	Mr. Bryan,	3
3	Mr. Chapin,	
	Mr. Collins	
4	Mr. Conner,	
5	Mr. Co ey,	
	Mr. Dorsey,	
	Mr. Ent.	4
6	Mr. Ep'or,	
7	Mr Gibson,	
	Mr. Haines,	
	Mr. Harkison,	
8	Mr Hickok,	

	Mr. Bell,	
	Mr. Cooley,	
	Mr. Dorsey,	
	Mr. Ent.	4
6	Mr. Epler,	
7	Mr Gibson,	
	Mr. Haines,	
	Mr. Harrison,	
8	Mr. Hickok,	
9	Mr. Hite,	
	Mr. Hudson,	5
10	Mr. Ing,	
11	Mr. Johnson,	
	Mr. Kennedy,	
	Mr. Kinkead,	6
	Mr. Larrowe,	7
	Mr. McClure,	8
12	Mr. Mitchell,	
13	Mr. Nightingill,	
14	Mr. Noteware,	
	Mr Plunkett,	
	Mr. Potter,	9
15	Mr. Ralston,	
	Mr. Shamp,	
16	Mr. Small,	
	Mr. Stark,	10
21.	Mr. Sterns,	~~11~~
17	Mr. Stewart,	
18	Mr. Virden,	
19	Mr. Wasson,	
20	Mr. Youngs,	
	[Mr. President:]	
	Mr. North.	12
	Affirm.	21.
	Neg.	11

Mr Stewart gave notice that he would renew to reconsider the vote, next Session.

Mr. Stewart moved that the vote he now reconsidered.

Mr Youngs moved that the motion of Mr Stewart to reconsider be indefinitely postponed.

On calling the Roll the motion to indefinitely postpone, prevailed by the following vote

YE.	Mr. Alban,	NAY.
	Mr Ball,	
	Mr. Bechtel,	1
2	Mr. Brosnan,	
	Mr. Bryan,	2
3	Mr. Chapin,	
	Mr. Collins	
	Mr. Conner,	3
4	Mr. Co ey,	
	Mr. Dorsey,	
	Mr. Ent.	4
5	Mr. Ep'er,	
6	Mr Gibson,	
	Mr Haines,	
	Mr. Harrison,	
7	Mr. Hickok,	
8	Mr. Hite,	
	Mr. Hudson,	5
9	Mr. Ing,	
10	Mr. Johnson,	
	Mr. Kennedy,	
	Mr. Kinkead,	6
11	Mr. Larrowe,	
12	Mr. McClure,	
13	Mr. Mitchell,	
14	Mr. Nightingill,	
15	Mr. Noteware,	
	Mr Plunkett,	
16	Mr. Potter,	
17	Mr. Ralston,	
	Mr. Shamp,	
18	Mr. Small,	
	Mr. Stark,	7
	Mr. Sterns,	8
19	Mr. Stewart,	
20	Mr. Virden,	
21	Mr. Wasson,	
22	Mr. Youngs,	
	[Mr. President :]	
23	Mr. North.	
	affirm	23
	neg	8

Sec. 14 The Legislature shall provide for the payment of the salaries of the Judges of the Supreme and District Courts quarterly, in cash, and shall provide for the setting apart ~~of the first money~~ from each years' revenue, a sufficient amount to pay such salaries; but the Legislature shall have no power to increase or diminish the salaries of said Judges, except as herein before provided.

Shet

Mr Ralston moved to amend the Section by striking out the word "years" in the 3rd line and inserting in lieu thereof the word "quarters" negatived.

Mr Conner moved to amend the Section by striking out the words "out of the first monies

agreed to.

Mr Stewart moved to amend ~~the~~ the Section by striking out the words "a sufficient amount" & inserting in lieu thereof the words "sufficient monies"

agreed to

1 SEC. 15 The salaries of the County Judges shall be paid in cash, out of the first mon-
2 ies received in the County Treasury in each year in their respective Counties, and shall
3 be as provided by law but shall not be increased or diminished during the time for which
4 they shall have been elected, except the salaries of the County Judges, elected at the first
5 election under this Constitution.

Mr Hickox moved to amend the Section by striking out the words "out of the first monies received in the County Treasury in each year in their respective Counties" in the ~~2nd~~ 1st & 2nd lines, "and also the word "not" in the 3rd line.

Mr Stewart moved as a substitute for Mr Hickox motion to amend the section by inserting after the word "paid"

in the first line the word "quarterly". and further by striking out in the first line the word "first" agreed to.

SEC. 16. The Justices of the Supreme Court and District Judges shall be ineligible to any other office, except Judicial offices, during the term for which they shall have been elected, and all elections or appointments of any such Judges, by the people, Legislature or otherwise, during said period, to any office, other than Judicial, shall be void, whether such office be created by the Constitution and laws of the State, or the Constitution or laws of the United States.

Mr Johnson moved to amend the Section by inserting after the word "Elected," in the 2nd line the words "and for one year thereafter".

On calling the Roll, the motion was negatived by the following vote.

Mr Brosnan moved to amend the Section by striking out in the 2nd line the words. "other" and "except", also the letter s at the end of the word. "offices" and inserting before the word. "Judicial" in the 2nd line the words "other than a"

agreed to.

One year thereafter

	Mr. Alban,	
1	Mr Ball,	1
	Mr. Bechtel,	2
	Mr. Brosnan,	3
	Mr. Bryan,	4
2	Mr. Chapin,	1
	Mr Collins	
3	Mr. Conner,	
	Mr. Co.ey,	5
	Mr. Dorsey,	
	Mr. Ent	6
	Mr. Ep'er,	7
4	Mr Gibson,	
	Mr Haines.	
	Mr. Harrison,	
	Mr. Hickok,	8
5	Mr. Hite,	
	Mr. Hudson,	9
6	Mr Ing,	1
7	Mr. Johnson,	
	Mr Kennedy,	
8	Mr Kinkead,	
	Mr Larrowe,	10
	Mr. McClure,	11
9	Mr. Mitchell,	
	Mr. Nightingill,	12
10	Mr. Noteware,	
	Mr Plunkett,	
	Mr. Potter,	13
11	Mr. Ralston,	
	Mr. Shamp,	
	Mr. Small,	14
	Mr. Stark,	15
	Mr. Sterns,	16
12	Mr. Stewart,	
	Mr. Virden,	17
	Mr. Wasson,	18
13	Mr. Youngs,	
	[Mr. President :]	
	Mr. North.	19
	Affi	13
	nega	19

Mr White moved to amend the section by striking out the last words "or the Constitution or laws of the United States."

Negatived Ayes 7. Noes 18.

Sec 17 The Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law

Sec. 18. The style of all process shall be "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same

Mr Conner moved to amend Sec 18 by striking out the last words "of the same" and inserting in lieu thereof the word "thereof". Negatived.

Sec 19 There shall be but one form of civil action, and law and equity may be administered in the same action

Sec 20. There shall be an election for Judicial officers at a Judicial election to be held on the Tuesday after the first Monday of May in each year.

Mr Bryan moved to amend Sec 20 by striking out the word "an" before the word "election" in the first line and inserting in lieu thereof the words "a regular"

Agreed to.

Gen Pratt ~~moved~~ moved the following additional Section to the Article.

Sec 21.

No person shall be eligible to the office of Justice of the Supreme Court who has not attained the age of ~~thirty~~ five years and ~~after the first Election who~~ has not been a resident of the State one year.

Negatived.

Mr Chapin moved to amend Sec 8 in Line one, by inserting after the word "Election" the words "Ordered by the Legislature". Negatived.

Mr Pratt pursuant to notice moved to reconsider the vote taken this afternoon which rejected ~~the~~ the motion ~~first~~ to amend ~~any~~ Sec 8. so as to fix the term of office of the County Judges at "two" instead of "four" years.

On calling the Roll the motion to reconsider the said vote was negatived by the following vote

Mr Alban
Mr Ball,
Mr Lecht
Mr. Logan,
Mr Bryan,
Mr Chapin,
Mr. Collins
Mr. Conner,
Mr Co-ey,
Mr Dorsey,
Mr. Ent.
Mr Ep'er,
Mr Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr Ing,
Mr Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr Larrowe,
Mr McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr Plunkett,
Mr. Potter,
Mr Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
[Mr President]
Mr. North.

Mr Young moved that the article ~~be~~ just gone through with be ~~ordered~~ engrossed for a third reading.

agreed to

At 4 o'clock PM on motion of Mr Allan the Convention took a recess till 7 o'clock PM

[redacted]

Mr. Stewart of Vermont, that the Convention do now resolve itself into a Committee of the Whole, on the article entitled "Taxation".

agreed to.

The Convention accordingly resolved itself into a Committee of the Whole. Mr Roberdeau in the Chair considered said article.

In time the Committee rose & Mr Roberdeau reported that

~~The President~~ The Committee of the Whole had had under consideration the article entitled "Taxation", have made some progress therein but having not gone through the same, ~~have~~ directed their Chairman to report that fact to the Convention and ask leave to sit again.

Leave was granted.

Mr Stewart moved that the article entitled "Taxation" be made the special order

for Friday Evening at
7 o'clock
Mr Ralston moved to
amend Mr Stewart's
motion so as to make the
said order the Special
Order for Wednesday
Evening at 7 o'clock.
agreed to and the
original motion as amen
ded ~~was agreed to~~ prevailed;
Mr. Bryan moved that
the two several amendments
proposed ~~by~~ to to the arti
cle entitled "Taxation" by
Messrs Stewart and Ralston
be printed.
Young's State Rights
agreed to
Mr Young moved that
the Convention do now
go into Committee of
the Whole on the Article
entitled "State Rights".
agreed to
the Convention in Committee
of the Whole Mr Mitchell
in the Chair considered
the said article,
& time the Committee

vice & Mr Mitchell report-
ed out.

The Committee
of the Whole had under
consideration the article
entitled "State Printer"
had gone through therewith,
had amended the same
by striking out the entire
article as reported from
the Standing Committee
on Salaries, and substitu-
ted therefor the following
~~Section~~ Article, & recom-
mend its adoption by
the Convention to wit:

Article
State Printer.

New.

Sec 1. ~~The~~ All printing for this State
shall be let out to the lowest
responsible bidder. The Governor, Secretary
of State and Comptroller shall
be a board to advertise for
bids and award the printing

Mr. Mitchell moved that
the report be amended
by substituting the words.

[redacted] State Printing for the ensuing
State Printer, and the title
of the said Printing &c.
Agreed to.
And the report as amended
was then agreed to. and
Ordered Engrossed. for a
third Reading
Mr Chapin moved that
the Convention do now
go into Committee of
the Whole on the Article
Entitled "Salaries"
Agreed to.
The Convention in Com
mittee of the Whole Mr Lawrence
in the Chair considered
the said Article
On motion the Committ
ee Rose & Mr Lawrence
reported that [redacted]

The Committee to whom
the Rule had under
consideration the Article
entitled "Salaries" have
made some progress therein
but having not gone
through therewith ~~has~~
directed their Chairman
to report that fact to the
Convention and ask leave
to sit again.

Leave was granted
On motion of Mr Stevens
at 9 o'clock the
Convention adjourned
till 10 o'clock AM
tomorrow.

Wednesday 21st Dec 1898

The Convention met pursuant to adjournment at 10 o'clock A.M.

Prayer by the Chaplain

On calling the roll the following Delegates were Present

And the following Absent

The Journal of Yesterday was read and approved.

Mr Young from the Standing Committee on Supplies &c. submitted the following report

Mr Ball,
Mr Bechtel,
Mr. Brosnan,
Mr Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
Mr. President, [Mr. North,]

Present

Absent

The Special Committee on Supplies would respectfully Report as follows —

The Committee would recommend the payment of 2 Dollars per day to the Sergeant at Arms in the Senate Meeting — $112-50
Fuel to the 25th Jan. @ 10 cts — — 12-50
237-50

The Sergeant at Arms has bought paid for and furnished the Convention the Convention with Sundry Articles Amounting to for which vouchers are herewith presented — — 168-25
leaving a balance in his hands — 69-25

The Committee not deeming it within their province to make arrangements or Contracts with the Officers of the Convention not being advised as to how they are to be paid whether in Cash or depend upon the action of the meeting of the next Legislature would respectfully report that the 300 Dollars Appropriated by the last Legislature would be sold at 45 Cts on the Dollar the present price now in the Market Amount to — — $135-00
And by paying the Secretary, his Deputy, the Sergeant at Arms — Each 10 dollars in Scrip or 5 dollars in Cash per day for 30 days it would Amount to 450-00
Page, Porter & Assistant Porter 3 dollars ea per day 270-00
720-00

leaving a balance in his hands — — $ 135-00
for Stationary and other incidental Expenses
the balance if any to be paid to the Reporters.
The Committee would further recommend that the Reporters be allowed 45 Cts. per Dollar for their services
All of which is Respectfully Submitted
Nov 25th 1863 —

Saml Young Chairman
D. L. Gibson

the Report was accepted.

Mr. Ball moved that the Convention do now go into a consideration of the Report as far as the officers are concerned.

Agreed to.

Mr. Ball moved that the Secretary of the Convention be allowed and paid Fifteen Dollars per diem cash. for his services.

Mr Hickox moved to amend the original by striking out the word "fifteen" and inserting in lieu thereof the word "ten" Lost.

Johnson Strike Cash. 12-16- Allan. 20.

Mr Johnson moved to amend the motion by striking out the word "Cash"

Agreed to Ayes 12 Nays 6

Watson Finance

Mr Allan moved to amend the amendment by striking out "15." and inserting "20" before the word Dollars

On calling the Roll the amendment was negatived by the following vote

1	NAY. Mr. Allan,	NAY
2	Mr Ball	
3	Mr. Beckwith	
4	Mr. [illegible]	
	Mr Bryan,	
5	Mr Chapin,	
	Mr. Collins	
	Mr. Conner,	

right "15." said Mr. Enterprise "20"
before the Senate. I allude.
On calling the Roll the amend
ment was negatived by the fol
lowing vote.

1	NAY. Mr. Allen,	NAY
2	Mr Ball.	
3	Mr Bedford	
4	Mr [illegible]	
	Mr [illegible],	
5	Mr Chapin,	
	Mr Collins	
	Mr Conner,	1
6	Mr. Covey,	
	Mr. Dorsey,	
	Mr. Ent. —	2
7	Mr. Epler,	
	Mr Gibson,	3
	Mr. Haines.	4
	Mr. Harrison,	
8	Mr. Hickok,	
	Mr. Hite,	
9	Mr. Hudson,	
	Mr. Ing, —	5
	Mr. Johnson,	6
	Mr. Kennedy,	
	Mr. Kinkead,	7
10	Mr. Larrowe,	
	Mr. McClure,	8
	~~Mr.~~ Mr. Mitchell,	9
11	Mr. Nightingill,	
	Mr. Noteware,	10
	Mr. Plunkett,	
	Mr. Potter,	11
	Mr. Ralston,	12
	Mr. Shamp,	
	Mr. Small, —	13
	Mr. Stark,	
	Mr. Sterns,	14
	Mr. Stewart,	
12	Mr. Virden,	
	Mr. Wasson,	15
	Mr. Youngs,	16
	[Mr. President :]	
	Mr. North.	17
		12
		17

Mr Patterson moved that the Report of the Committee on Supplies be referred to the Committee on Finance

Question put by the Chair and carried.

Mitchell. Mr Dickson renewed the same. ~~Negatived~~.

Mr. Kennedy. Mr Mitchell moved that
Stems. Stark the whole subject be laid on the table.

Agreed to.

Mr Kickak asked leave of absence for Mr Kennedy for an indefinite period

~~Agreed to~~ granted.

Mr Stems asked leave of absence for Mr Stark for one day. — Granted —

Mr. Jennings asked that the Committee on Supplies etc be excused from service.

The Convention refused to excuse the Committee.

20 30 / 600 / 12 00

Mr Howard offered the following

Mr Rulston moved to lay the Resolution on the table

Agreed to.

Mr Conner moved that the Convention go into Committee of the Whole on the article entitled. "Salaries"

Agreed to

The Convention on Committee of the Whole. Mr Larmore in the chair considered the said Article.

In time the Committee rose & ~~repo~~ Mr Larmore reported that:

The Committee of the Whole have had under consideration the article entitled "Salaries" had made some progress therein but not having run through the same have directed their Chairman to report that fact to the Convention and ask leave to sit again.

~~The report was duly agreed to.~~

Leave was not granted

Mr. Bryan renewed the motion made ~~by them~~ in Committee of the Whole to fix the salary of the Governor at "six" instead of "five" thousand Dollars

On calling the Roll the motion was agreed to by the following vote

AYE		NAY
	Mr. Alban,	1
	Mr Ball,	2
1	Mr Bechtel,	
	Mr Brosnan,	3
2	Mr Bryan,	
	Mr. Chapin,	4
	Mr. Collins	
3	Mr. Conner,	
	Mr. Covey,	
	Mr. Dorsey,	5
	Mr. Ent.	
5	Mr. Epler,	
6	Mr Gibson,	
7	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	
	Mr. Hite,	
8	Mr. Hudson,	
	Mr. Ing,	6
	Mr. Johnson,	7
	Mr. Kennedy,	

AYE.		NAY.
	Mr. Alban,	
	Mr Ball,	
	Mr. Bechtel,	
	Mr. Brosnan,	
	Mr. Bryan,	
	Mr. Chapin,	
	Mr. Collins,	
	Mr. Conner,	
	Mr. Co ey,	
	Mr. Dorsey,	
	Mr. Ent.	
	Mr. Ep'er,	
	Mr Gibson,	
	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	
	Mr. Hite,	
	Mr. Hudson,	
	Mr. Ing,	
	Mr. Johnson,	
	Mr. Kennedy,	
	Mr. Kinkead,	
	Mr. Larrowe,	
	Mr. McClure,	
	Mr. Mitchell,	
	Mr. Nightingill,	
	Mr. Noteware,	
	Mr. Plunkett,	
	Mr. Potter,	
	Mr. Ralston,	
	Mr. Shamp,	
	Mr. Small,	
	Mr. Stark,	
	Mr. Sterns,	
	Mr. Stewart,	
	Mr. Virden,	
	Mr. Wasson,	
	Mr. Youngs,	
	[Mr. President :]	
	Mr. North.	

[illegible] Pending motion. at 12 o'clock m. the convention pursuant to rule took a recess till 1 o'clock Pm

1 o'clock Pm.

Mr Johnson moved ~~a call~~ that the Roll be called.

agreed to

On calling the Roll the following Delegates were to present

and the following were Absent

~~Mr. Alban,~~	NAY.
Mr Ball,	
Mr. Bechtel,	
Mr. Brosnan,	
Mr Bryan,	
Mr Chapin,	
Mr. Collins	Ex
Mr Conner,	
Mr. Covey,	
Mr Dorsey,	Ex
Mr. Ent	
Mr Ep'er,	
Mr Gibson,	
Mr. Haines,	
~~Mr. Harrison,~~	
Mr. Hickok,	
Mr. Hite,	
Mr Hudson,	
Mr Ing,	
Mr Johnson,	
Mr Kennedy,	Ex
Mr. Kinkead,	
Mr Larrowe,	
Mr. McClure,	
Mr. Mitchell,	
Mr. Nightingill,	
Mr. Noteware,	
Mr. Plunkett,	Ex
Mr. Potter,	
Mr. Ralston,	
Mr. Shamp,	
Mr. Small,	
Mr. Stark,	Ex.
Mr. Sterns,	
Mr. Stewart,	
Mr. Virden,	
Mr. Wasson,	
Mr. Youngs,	
[Mr. President :]	
Mr. North.	

Patterson Education

the rider for the Sergeant at arms the search for absentees be suspended Agreed to.

The question pending being the motion of Mr Larrowe to indefinitely postpone the motion to reconsider the vote fixing the Firemens salary at $600 per annum

On calling the Roll the motion to indefinitely postpone prevailed by the following vote,

AYE.	Mr. Aiken,	~~1~~
	Mr Ball,	2
	~~Mr.~~ Fechtel,	
	Mr. Grosman,	3
	~~Mr~~ Bryan,	
	Mr Chapman,	4
	Mr. Collins	
	~~3~~ Mr. Conner,	
	~~4~~ Mr. Covey,	
	Mr. Dorsey,	
	~~5~~ Mr. Ent,	
	~~6~~ Mr. Epler,	
	Mr Gibson,	5
	Mr Haines,	6
	Mr. Harrison,	
	Mr. Hickel,	7
	Mr. Hite,	
	~~7~~ Mr. Hudson,	
	Mr. Ing,	8
	Mr. Johnson,	9
	Mr. Kennedy,	
	~~8~~ Mr. Kinkead,	
	~~9~~ Mr Larrowe,	
	~~10~~ Mr. McClure,	
	Mr. Mitchell,	10
	~~11~~ Mr. Nightingill,	
	~~12~~ Mr. Noteware,	AA
	Mr Plunkett,	
	~~13~~ Mr. Potter,	
	Mr. Ralston,	13
	Mr. Shamp,	
	~~16~~ Mr. Small,	AAA
	Mr. Stark,	

The Report of the Committee adopted and the

Insert article Rep.

~~President~~ Mr Stevens reported that the Committee of the Whole have had under consideration the Articles entitled "Education" have gone through therewith, have made some amendments thereto. and directed their chairman to report the same back to the Convention and recommend its adoption.

The Report was agreed to.

Mr Stevens moved that the ~~Report~~ Articles as amended. & Reported be ordered printed.

Agreed to.

~~President~~ On motion of Mr Kiskadden the Convention took a recess till 7 o'clock PM

7 o'clock P.M.

~~The Co~~

Mr Young moved that the Convention go into Committee of the Whole on the Special Order of the day to wit the Article Entitled Taxation, and the several Amendments proposed thereto.

agreed to

The Convention in Committee of the Whole Mr Noland in the Chair Considered the said Article & amendments.

In time the Committee rose & Mr Botts reported that ~~the Co~~

The Committee of the Whole had had under consideration the Article Entitled "Taxation" had made some progress therein but having not gone through the same have directed their Chairman to report that fact to the Convention & ask leave to sit again

Leave was granted

Mr. Stewart [illegible]
that the article Entitled
Taxation be made the
special order for Friday
Evening next.

Agreed to

Mr Larrowe moved that
this Convention do now
adjourn till Friday
morning at 10 oclock

Agreed to

at 10 oclock the
Convention adjourned
to meet again at 10
oclock A M Friday

Thursday Morning
Friday, January 2nd 1863

The Convention met pursuant
to its adjournment at
10 o'clock A.M.

Prayer by the Chaplain

On calling the Roll the
following were

Present

And the following
were absent.

Mr. Alban,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr Dorsey,
Mr. Ent,
Mr. Epler,
Mr Gibson,
Mr. Haines,
Mr. Harrison,
Mr Hickok,
Mr. Hite,
Mr Hudson,
Mr. Ing.
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr. Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Younge,
Mr. President, [Mr. North,]

The Journal of Wednesday was read and approved

Mr Ralston moved that the Convention take up the article entitled the Executive Department

agreed to

~~Mr Lisbon moved that the Convent~~ Mr Ralston moved that the Convention do now go into Committee of the Whole on the said Article

Lost

[illegible] Mitchell moved that the said article be laid on the table, for the present.

Agreed to

Mr. [illegible] from the Standing [illegible] on the Schedule, submitted to the following ~~Report~~ Article.

Schedule.

Section — 1. — That no civil commitment must exist between the people of a territory and the National Government, it is declared that all rights, actions, prosecutions, judgements, claims and contracts as well of individuals as of bodies corporate, shall continue as if no change had taken place; and all powers which may be exercised under the authority of the Territory of Nevada previous to its admission into the United States as one of the United States shall be as valid as if issued in the name of the State of Nevada.

Section — 2. — All laws of the Territory of Nevada in force at the time of the admission of this State not repugnant to this Constitution, shall remain in force until they expire by their own limitations, or be altered

as repealed by the Legislature.

Section — 3. — All fines, penalties, or forfeitures accruing to the Territory of Nevada shall inure to the State of Nevada.

Section — 4 — All recognizances taken, or which may be taken before the change from a Territorial to a permanent State government, shall remain valid, and shall pass to and may be prosecuted in the name of the State; and all bonds executed to the Governor of the Territory or to any other officer or court in his or their official capacity, and to the people of the United States in the Territory of Nevada, shall pass to the Governor or other officer or court and his or their successors in office, for the uses therein respectively expressed; and may be sued on and recovery had accordingly; and all the estate of property, real personal or mixed, and all judgements, bonds, specialties, choses in action, claims and

rolls of election classification and all records and public archives of the Territory of Nevada, shall come to and rest in the State of Nevada and may be used for and instead in the same manner and to the same extent as the State of Nevada as the same could have been by the Territory of Nevada. All criminal prosecutions and penal actions which may have arisen, or which may arise before the change from a Territorial to a State government and which shall then be pending, shall be prosecuted to judgement and execution in the name of the State. All offences committed against the laws of the Territory of Nevada before the change from a Territorial to a State government and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Nevada, with like effect as though such change had not taken place, and all penalties incurred shall accrue to the same as if this Constitution had not

been certified. All creditors not heard and suits in equity, which may be pending, and any of the Courts of the Territory of Nevada at the time of the passage of these resolutions, may be continued and transferred to some Court of the State which shall have jurisdiction of the subject matter thereof.

H A Larrowe

Jud, Dist

Wm H Virden

The Report was accepted and Ordered printed.

Mr Rulison moved that the Article entitled the Executive Department be taken up for a second Reading

Agreed to

The Article was then read as follows.

ARTICLE

EXECUTIVE DEPARTMENT

1 Sec 1 The supreme executive power of this State shall be vested in a Chief Mag-
2 trate, who shall be ~~styled~~ the Governor of the State of Nevada

1 Sec. 2. The Governor shall be elected by the qualified electors at the time, and places
the Legislature two
2 of voting for members of ~~Assembly~~, and shall hold his office ~~four~~ years from the time of his
3 installation and until his successor shall be qualified

1 Sec. 3. No person shall be eligible to the office of Governo (~~except at the first elec-~~
is not a qualified elector and is (and except at the first Election
2 ~~tion~~) who ~~has~~ not ~~been~~ a citizen of the United States ~~and~~ a citizen resident of this State
3 two years next preceding the election, and attained the age of twenty-five years at the
4 time of said election.

1 Sec. 4. The returns of every election, for Governor, shall be sealed up and transmitted

An Ordinance enacted that the Convention entitled "An Executive Department" be taken up for ~~it's~~ consideration pending

Agreed to

The Article was then read as follows.

ARTICLE

EXECUTIVE DEPARTMENT

Sec. 1. The supreme executive power of this State shall be vested in a Chief Magistrate, who shall be ~~styled~~ the Governor of the State of Nevada.

Sec. 2. The Governor shall be elected by the qualified electors at the time, and places of voting for members of the Legislature, and shall hold his office two years from the time of his inauguration, and until his successor shall be qualified.

Sec. 3. No person shall be eligible to the office of Governor ~~unless he shall have been for two years next preceding the election a citizen of the United States~~ and shall be a qualified elector and ~~shall~~ ~~have been~~ a bona fide resident of this State two years next preceding the election, and attained the age of twenty-five years at the time of said election.

Sec. 4. The returns of every election for Governor, shall be sealed up and transmitted to the seat of Government, directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in presence of both Houses of the Legislature.

The person having the highest number of votes shall be Governor, but if there shall be two or more who have an equal, and the highest number of votes, the Legislature shall by joint vote of both Houses, choose one of said persons having an equal and the highest number of votes for Governor.

[illegible]

Mr Johnson moved to amend the Section as amended by Mr Lawrences motion by inserting after the word "Governor" where it occurs in the first paragraph the words "and all other State Officers"

Agreed to

Mr Hite moved to amend the said ~~act~~ paragraph as amended, by striking out the words "having the longer term to serve" after the words ~~Senate~~ "Associate Justice" & further to add the letter s to the said word "Justice"

Agreed to.

Mr Conner moved to amend by inserting between the words "up" and "and" in the first line the words "marked Election Returns"

negatived.

Mr Mitchell moved to amend the second paragraph by striking out the words "shall be Governor" in the fifth line and ~~also the words "for Governor"~~

~~Agreed to~~

~~[illegible] that the laws are faithfully executed~~

inserting in lieu thereof the words "for the respective office shall be declared Elected" and further to strike out the last words "for" Governor" and insert the words "to fill said office

Agreed to.

Mr Larrowe moved to amend the paragraph by inserting in the 6th line between the words "votes" and "the Legislature" the words "for the same office" and further to strike out the word "choose" in the 4th line & insert the word "elect".

Agreed to.

1 Sec 5. The Governor shall be Commander-in-Chief of the army and militia of the

2 State, except when they shall be called into the service of the United States.

Mr Johnson moved to amend the 5th Section by striking out the words "Army and Militia" and inserting in lieu thereof the words "Military forces"

Agreed to

1 Sec 6 He shall transact all executive business with the officers of Government, civil

2 and military, and may require information, in writing, from the officers of the Executive

2 Department, upon any subject relating to the duties of their respective offices.

1 Sec. 7. He shall see that the Laws are faithfully executed.

SEC 8 When any office shall from any cause become vacant, and no mode is provided by the Constitution and Laws for filling such vacancy, the Governor shall have power to fill such vacancy, by granting a commission, which shall expire at the end of the next session of the Legislature or at the next election ~~by the people~~ and qualification of such St eb

SEC 9 He may on extraordinary occasions, convene the Legislature, by a proclamation, and shall state to both Houses when assembled, the purpose for which they have been convened, and the Legislature shall enter on no Legislative business except that for which they were specially called together

SEC 10 He shall communicate, by message, to the Legislature at every session, the condition of the State, and recommend such ~~matters~~ measures as he may deem expedient

SEC. 11. In case of a disagreement between the two Houses, with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper, *provided*, it be not beyond the time fixed for the meeting of the next Legislature

SEC 12 No person shall, while holding any office under the United States Government, hold ~~exercise~~ the office of Governor, except as herein expressly provided,

SEC. 13 The Governor shall have the power to suspend the collection of fines and forfeitures, and to grant reprieves for a period not exceeding sixty days, dating from the time of conviction, for all offences except treason and cases of impeachment. Upon conviction for treason he shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting; when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve—and if the Legislature should fail or refuse to make final disposition of such case, the sentence shall then be enforced at such time and place as the Governor by his order may direct. The Governor shall communicate to the Legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon or commutation granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date and the date of the remission, commutation, pardon or reprieve

See 14

The Governor, Justices of the Supreme Court and Attorney General, or a major part of them, of whom the Governor shall be one—may, upon such conditions and with limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, and grant pardons after convictions in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner applying for pardons.

SEC 15 There shall be a Seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called "The Great Seal of the State of Nevada."

SEC 16 All grants and commissions shall be in the name and by the authority of ~~the people of~~ the State of Nevada, sealed with the Great Seal of the State, signed by the Governor, and countersigned by the Secretary of State.

SEC 17 A Lieutenant Governor shall be elected at the same time and places, and in the same manner as the Governor, and his term of office, and his qualifications of eligibility, shall also be the same. He shall be President of the Senate, but shall only have a casting vote therein.

If during a vacancy of the office of Governor, the Lieutenant Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the State, the President of the Senate shall act as Governor until the vacancy be filled, or the disability shall cease.

SEC. 18 In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of the said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, and at the head of any military force thereof, he shall continue Commander-in-Chief of the military force of the State.

SEC. 19 A Secretary of State, a Treasurer, an Attorney General, a Comptroller, a Superintendent of Public Instruction, and ~~a Surveyor General~~ shall be elected at the time and places and in the same manner as the Governor. The term of office of each shall be the same as is prescribed for the Governor. Any Elector ~~citizen~~ shall be eligible to either of said offices.

SEC 20 The Secretary of State shall keep a true record of the official acts of the Legislative and Executive Departments of the Government, and shall, when required, lay the same and all matters relative thereto, before either branch of the Legislature, ~~and shall be ex officio Controller of State~~, and perform such other duties as shall be assigned him by law.

Sec 21.

The Governor, Secretary of State, and Attorney General, shall constitute a Board of State Prison Commissioners, which board shall have such supervision of all matters connected with the State Prison, as may be provided by law. They shall also constitute a "Board of Examiners," with power to examine all claims against the State (except salaries or compensation of officers) and perform such other duties as may be prescribed by law.

Stricken

SEC 22 The Governor, Lieutenant Governor, Secretary of State, Treasurer, Attorney General, ~~Surveyor General,~~ Justices of the Supreme Court and Judges of the District Courts, shall be liable to impeachment for any misdemeanor in office But judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit under the State, but the party acquitted or convicted, shall nevertheless be liable to indictment, trial or punishment according to law; all other civil officers shall be tried for misdemeanors in office in such manner as the Legislature may provide.

Compilation Supt of Public Instruction and

SEC 23 The Governor, Lieutenant Governor Secretary of State, Treasurer, Attorney General ~~and Surveyor General~~, shall each, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished during the term for which they shall have been elected, but neither of these officers shall receive for his own use any fees for the performance of his official duties

"Sec 24. It shall be the duty of the Attorney General upon the call of the District attorneys of the several counties in this state and when not otherwise engaged in the discharge of his other official duties to assist such Dist Attys in the trial of persons accused of capital offences, and for such service he shall receive such compensation as may be fixed by law.

This having on the 7th inst been recommitted to the Judiciary Committee. & no report thereon having been submitted from said Committee.

Mr Chapin moved that the Committee ~~of~~ on the Judiciary be discharged from the further consideration ~~of the~~ of Sec 8 of the Judicial Article relating to the duties of Attorney General.

Agreed to

Mr Johnson moved the following as a substitute for said Section.

Sec 24 The ~~Secretary of State~~ State Controller The ~~State~~ Attorney General, Superintendent of Public Instruction shall perform such other duties as may be ~~provided~~ prescribed by law

Agreed to

The hour of 12 o'clock M having arrived the Convention took a recess till 2 o'clock P.M. pursuant to rule

Wednesday P.M.

The Convention resumed the consideration of the Article entitled the Executive Department

Mr. Allan moved to amend Sec 19 of the article by striking out the words "Superintendent of Public Instruction" in the first line

Agreed to.

Mr Johnson offered the following as a substitute for Sec 3 of the Article

Sec 3 No person shall be eligible to the office of Governor who is not a qualified elector and at the time of such election has attained the age of twenty five years and except at the first election under this Constitution, shall have been a citizen resident of this State for two years next preceding the election. Adopted

Mr Brannan moved to amend
of Sec 2 the second paragraph
by striking out the last
words. "publish the result
and insert in lieu thereof
the words "declare the
result & publish the names
of the candidates elected".

Agreed to.

Mr Epler moved to strike
out in the first paragraph
~~the~~ of said Section. the
word "Political" between
the words "General" and
"Election"

Agreed to.

Mr Johnson moved to amend
Sec 8, ~~which read as follows~~

by ~~striking~~ out the last words
"by the People" & inserting
in lieu thereof the words "and
qualification of such officer"

Agreed to

Mr Johnson moved to amend Sec 19, as read by inserting between the words "Presidents" and "of" and the y of the word "pro tem"

Agreed to.

Mr Johnson moved to amend Sec 21. by inserting in the 5th line after the word "officers" the word "fixed by Law"

Agreed to.

Mr Young moved that the article be ordered Engrossed for a third Reading

Agreed to.

Mr Kananaa moved that the Article "Entitled "Education" be taken up for a second reading agreed to. The Article was then read as follows.

ARTICLE.

EDUCATION

Sec 1 The Legislature shall encourage by all suitable means the promotion of intel-
2 lectual, scientific, moral, and agricultural improvement It shall provide for the election
3 by the people (at such time as the Judiciary may be elected) of a Superintendent of Public
4 Instruction, who shall hold his office for two years, from the first Monday of July, succeed-
5 ing such election, and whose duties shall be prescribed by law.

1 Sec 2 The Legislature shall provide for a system of Common Schools, by which a
2 school shall be established and maintained in each District, at least six months in every
3 year, and any School District neglecting to establish and maintain such a school, may be
4 deprived of its proportion of the interest of the public fund during such neglect. The
Legislature shall, within two years pass such laws as shall make it compulsory with
parents and guardians that all children under their charge between the ages of six and
7 fourteen years, shall receive educational instruction, unless physically or mentally incapac-
8 itated, but no Sectarian instruction shall be allowed at any Public School established by
9 them.

Mr Nateware moved to amend the 2nd Section by striking out the last paragraph.

On calling the Roll the ~~following vote~~ motion was negatived by the following vote

Mr Noteware moved to amend the second Section by inserting in the 6th line, between the words "all" & "Children" the word "White".

On calling the Roll the motion prevailed by the following vote

AYE	Mr. Allen,	NAY
	Mr Ball,	/
	Mr Bevis,	/
2	Mr [illegible],	
	Mr. Bryan,	
	Mr Chapel	2
	Mr. Collins	
3	Mr Connell,	
	Mr. Covey,	
	Mr. Dorsey,	
4	Mr. Dot	
5	Mr. Epes,	
6	Mr Gibson,	
	Mr. Hamm,	3
	Mr. Harrison,	
7	Mr. Hickol,	
8	Mr. Hite,	
	Mr. Hudson,	
9	Mr. Ing,	
10	Mr. Johnson,	
	Mr Kennedy,	
11	Mr. Kinkead,	
12	Mr Larrowe,	
	Mr. McClure,	4
13	Mr. Mitchell,	
14	Mr. Nightingill,	
15	Mr Noteware,	
	Mr. Plunkett,	
	Mr. Potter,	
16	Mr Ralston,	
17	Mr. Shamp,	
18	Mr. Small,	
	Mr. Stark,	5
	Mr. Sterns,	9
	Mr. Stewart,	
	Mr. Virden,	6
19	Mr. Wasson,	
	Mr. Youngs,	7
	[Mr. President]	
	Mr. North.	8.
	affr	19
	Nay	9.

~~White~~

~~White~~

Mr Nightengill moved to amend the second section by inserting between the words "public" & "fund" the word School.

Agreed to.

Mr Kinkead moved to amend by inserting between the words "instruction" and "unless" the words "for at least ~~three~~ four months in each year."

~~Agreed to~~

Mr Epler moved to strike out ~~the whole of~~ said Section 2. the following words.

commencing on the first
& Ending on the 28th Section
Neg.

, by which a

school shall be established and maintained in each District, at least six months in every

year, and any School District neglecting to establish and maintain such a school, may be

deprived of its proportion of the interest of the public fund during such neglect. The

Legislature shall, within two years pass such laws as shall make it compulsory with

parents and guardians that all children under their charge between the ages of six and

fourteen years, shall receive educational instruction, unless physically or mentally incapac-

itated;

On calling the roll the motion was rejected by the following vote

	Mr Alban,	NAY.
	Mr Ball,	2
	Mr Bechtel,	3
	Mr. Brosnan,	4
	Mr Bryan,	
	Mr. Chapin,	5
	Mr. Collins	
	Mr Conner,	6
	Mr. Cosey,	7
	Mr. Dorsey,	
	Mr. Ent	8
	Mr Ep'er,	
	Mr Gibson,	9
	Mr. Hanes.	
	Mr. Harrison,	
	Mr. Hickok,	10
	Mr. Hite,	11
	Mr Hudson,	
	Mr. Ing,	12
	Mr Johnson,	13
	Mr. Kennedy,	
	Mr Kinkead,	14
	Mr. Larrowe,	15
	Mr. McClure,	16
	Mr. Mitchell,	17
	Mr. Nightingill,	18
2	Mr. Noteware,	
	Mr. Plunkett,	
	Mr. Potter,	
	Mr. Ralston,	
	Mr. Shamp,	
	Mr. Small,	19
	Mr. Stark,	20
	Mr. Sterns,	21
	Mr. Stewart,	
	Mr. Virden,	
	Mr. Wasson,	
	Mr. Youngs,	
	[Mr. President]	
	Mr. North.	

Mr. Ayes 15 Noes 11 So the motion was lost

Mr. Ayers moved to amend the section by striking out the word "shall" and inserting in lieu thereof the word "may" which motion was agreed to

Mr Hite moved to amend by striking out in the 6th line the word "shall" & insert in lieu thereof the word "may".

7-15

Negatived Ayes 7 Nays 15

Mr Nightengill moved to amend the section by inserting after the word "year" in the 7th line the words "provided proper means are available"

Y E	Mr Alban,	NAY
	Mr Ball,	2
	Mr. Bechtel,	3
	Mr. Crosman,	4
	Mr Bryan,	
	Mr Chapin,	19
	Mr. Collins	
	Mr Conner,	5
	Mr. Cooley,	6
	Mr. Dorsey,	
	Mr. Ent.	7
1	Mr. Epler,	
	Mr Gibson,	8
	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	9
2	Mr. Hite,	
	Mr. Hudson,	
	Mr. Ing,	10
	Mr. Johnson,	11
	Mr. Kennedy,	
	Mr. Kinkead,	12
	Mr. Larrowe,	

able" / per Means are avail

YE		NAY.
	Mr. Alban,	
	Mr Ball,	2
	Mr Fechtel,	3
	Mr Grosman,	4
	Mr. Bryan,	
	Mr Chapin,	19
	Mr. Collins	
	Mr. Conner,	5
	Mr. Co ey,	6
	Mr. Dorsey,	
	Mr. Ent	7
/	Mr Ep'er,	
	Mr Gibson,	8
	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	9
2	Mr. Hite,	~~10~~
	Mr Hudson,	
	Mr. Ing,	10
	Mr. Johnson,	11
	Mr. Kennedy,	
	Mr. Kinkead,	12
3	Mr. Larrowe,	
	Mr. McClure,	13
	Mr. Mitchell,	14
4	Mr. Nightingill,	
5	Mr. Noteware,	
	Mr Plunkett,	
	Mr. Potter,	
6	Mr Ralston,	
	Mr. Shamp,	
	Mr. Small,	15
	Mr. Stark,	16
	Mr. Sterns,	17
	Mr. Stewart,	
	Mr. Virden,	
7	Mr. Wasson,	
8	Mr. Youngs,	
	[Mr. President :]	
	Mr. North.	18
	a	8
	n	19

Mr Chapin moved the adoption of the 2nd Section as amended.

On calling the Roll the question was adopted by the following vote

1	Mr. Alban,	NAY
2	Mr Ball,	
3	Mr Bechtel,	
4	Mr. Brosnan,	
	Mr Bryan,	
5	Mr. Chapin,	
	Mr. Collins,	
6	Mr. Conner,	
7	Mr. Cosey,	
	Mr Dorsey,	
8	Mr. Eut	
	Mr. Ep'er,	/
9	Mr Gibson,	
	Mr. Haines,	
	Mr. Harrison,	
10	Mr. Hickok,	
	Mr. Hite,	2
	Mr. Hudson,	
11	Mr. Ing,	
12	Mr. Johnson,	
	Mr. Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
16	Mr. Mitchell,	
	Mr. Nightingill,	3
	Mr. Noteware,	4
	Mr. Plunkett,	
	Mr. Potter,	
	Mr. Ralston,	5
17	Mr Shamp,	
18	Mr. Small,	
19	Mr. Stark,	
20	Mr Sterns,	
	Mr. Stewart,	
	Mr. Virden,	6
	Mr. Wasson,	7
~~21~~	Mr. Youngs,	
	[Mr. President:]	
21	Mr. North.	
	20	21.
	2	5.

SEC. 3. The proceeds of all the lands that may be granted by the United States to this State for the support of schools, which may be sold or disposed of, and all escheats of forfeited estates of deceased persons who have died without leaving a will or heir, and also such 5 per centum as may be granted by Congress on the sale of lands in this State, shall be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, and such other means as the Legislature may provide, shall be inviolably appropriated to the support of Common Schools throughout the State.

SEC. 4. The Legislature shall take measures for the protection, improvement, or other disposition of the five hundred thousand acres of land granted to the new States under an act of Congress, distributing the proceeds of the public lands among the several States of the Union, approved A. D. 1841, and of all such lands as have been or may hereafter be reserved or granted by the United States, or by any person or persons to this State, for the use of a University or Agricultural College; and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be, and remain a permanent fund, the interest of which shall be applied to the support of said University or Agricultural College, with such branches as the public convenience may demand for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant or grants; and it shall be the duty of the Legislature as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University or Agricultural College.

Mr Mason ~~of~~ moved the adoption of the following as a substitute for the printed Section 4.

Sec 4 — All lands which have been or may be granted or appropriated by the United States, or which may in any way accrue to the State, for Educational purposes in this State, and the proceeds and income derived therefrom shall be and the same are hereby solemnly pledged for ~~such~~ purposes, and the said income therefrom shall from time to time be apportioned among the several Counties in proportion to the ascertained numbers of the persons between the ages of and years in the different Counties; and the Legislature shall provide for the sale of Floating land warrants to cover said land to the best advantage, and invest the proceeds therefrom, and all other money that may accrue to the State for [redacted] Educational purposes, in United States Bonds; which shall continue a perpetual School Fund, The interest thereof alone shall be applicable to Educational purposes.

Pending the question on the adoption of the substitute offered by Mr Mason. the Convention ~~adj~~ took a recess till 7 o'clock P.M.

Mr Lamont offered the following, resolution

Resolved that all debate shall close on the question now before the convention at 10 o'clock this evening but that if any amendments be offered ~~thereto~~ thereafter the same may be discussed provided that no member shall speak thereto more than twice & no longer than five minutes at each time

Negatived

The Convention ~~then~~ then went into Committee of the Whole on the special Order of the day viz the Article on Taxation. Mr Rockwell in the chair.

In time the Committee rose & Mr Rockwell reported ~~that the Committee of the Whole had~~

The Committee of the Whole have had under consideration the Article Entitled "Taxation" have ~~made some~~ gone through therewith have made no amendment thereto & directed their Chairman to report the Article to the Convention and recommend its adoption.

~~The Report was agreed.~~

~~6.~~ Mr Young moved that the report ~~was~~ be agreed to. ~~and thereon be moved the previous question.~~

Mr Sterns moved that the Convention do now adjourn

East.

The question being on the adoption of the Report of the Committee of the Whole.

~~Mr A~~ Mr Stewart moved to amend the report by substituting for Sec 1 the following which had been offered in Committee of the Whole.

~~A~~	~~Mr. Allen~~	1
	Mr Ball,	
	Mr Bedford,	2
1	Mr Bingham,	
	Mr Bryan,	
	Mr. Chapin,	3
	Mr. Collins	
2	Mr Conner,	
	Mr. Cooper,	
	Mr. Dorsey,	
	Mr. Ent.	4
3	Mr. Epler,	
4	Mr Gibson,	
	Mr. Haines,	5
	Mr. Harrison,	
	Mr Hickok,	6
	Mr. Hite,	7
	Mr. Hudson,	
	Mr. Ing,	8
	Mr. Johnson,	9
	Mr Kennedy,	
	Mr. Kinkead,	10
	Mr. Larrowe,	11
	Mr. McClure,	12
	Mr. Mitchell,	13
	Mr. Nightingill,	14
5	Mr. Noteware,	
	Mr Plunkett,	
	Mr. Potter,	
6	Mr. Ralston,	
	Mr. Shamp,	15
	Mr. Small,	16
	Mr. Stark,	17
	Mr. Sterns,	18
	Mr. Stewart,	
	Mr. Virden,	
7	Mr. Wasson,	
	Mr. Youngs,	19
	[Mr. President.]	
	Mr. North.	20
	affirm	7
	neg	20

SEC. 1 The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property. "In the State, Corporations shall be taxed the same as individuals, and when so taxed no tax shall be levied upon the stock of such corporations. Unproductive mining claims shall not be subject to taxation, and productive mining claims shall only be taxed upon the net proceeds of the same; And the Legislature may exempt from taxation property used" for municipal, educational, literary, scientific, religious or charitable purposes.

On calling the Roll the ~~said~~ motion & amend the Report was negatived by the following vote

1	Mr. Alban,	NAY.
	Mr Ball,	1
	Mr. Bechtel,	2
	Mr. Brosnan,	3
	Mr. Bryan,	
	Mr. Chapin,	4
	Mr. Collins	
	Mr Conner,	5
2	Mr. Covey,	
	Mr. Dorsey,	
	Mr. Ent.	6
	Mr Epler,	7
	Mr Gibson,	8
	Mr. Haines,	9
	Mr. Harrison,	
	Mr. Hickok,	10
	Mr. Hite,	11
	Mr Hudson,	12
	Mr. Ing,	13
	Mr. Johnson,	14
	Mr. Kennedy,	15
	Mr. Kinkead,	
	Mr Larrowe,	16
	Mr. McClure,	17
3	Mr Mitchell,	
	Mr Nightingill,	18
	Mr Noteware,	19
	Mr Plunkett,	
	Mr. Potter,	
	Mr Ralston,	20
	Mr. Shamp,	
	Mr. Small,	21
4	Mr. Stark,	~~22~~
5	Mr. Sterns,	
6	Mr. Stewart,	
	Mr. Virden,	22
	Mr. Wasson,	23
	Mr. Youngs,	24
	[Mr President :]	
	Mr. North.	25
	Aff	6
	Neg	25

On calling the Roll the name of Mr Mitchell was reclaimed by the following vote.

1	Mr Alban,	NAY
	Mr Ball,	1
	Mr Bechtel,	2
	Mr. Bosman,	3
	Mr. Bryan,	
2	Mr. Chapin,	
	Mr Collins	
	Mr. Conner,	4
3	Mr. Covey,	
	Mr. Dorsey,	
	Mr. Ent.	5
4	Mr. Epler,	
	Mr Gibson,	6
	Mr. Haines,	7
	Mr. Harrison,	
	Mr. Hickok,	8
	Mr. Hite,	9
	Mr. Hudson,	10
	Mr. Ing,	11
	Mr Johnson,	12
	Mr. Kennedy,	13
	Mr. Kinkead,	
	Mr Larrowe,	14
	Mr. McClure,	15
5	Mr. Mitchell,	~~16~~
	Mr. Nightingill,	~~17~~
	Mr. Noteware,	17
	Mr Plunkett,	
	Mr. Potter,	
	Mr Ralston,	18
	Mr. Shamp,	
	Mr Small,	19
6	Mr. Stark,	
7	Mr. Sterns,	
8	Mr. Stewart,	
	Mr. Virden,	20
	Mr. Wasson,	21
	Mr. Youngs,	22
	[Mr. President.]	
	Mr. North.	23

B

5

N 8
Y 23

Mr Mitchell moved to amend the Report by striking out the following for Sec 1 the following

The Legislature shall provide by Law for assessing and collecting the necessary Revenue to meet the expenses of the Government.

On calling the roll the substitute was negatived by the following vote

1	Mr. Alban,	NAY.
	Mr Ball,	1
	Mr Bechtel,	2
	Mr Crosman,	3
	Mr. Bryan,	
2	Mr. Chapin,	
	Mr. Collins	
	Mr. Conner,	4
3	Mr. Cooley,	
	Mr. Dorsey,	
	Mr. Eut.	5
4	Mr. Ep'or,	
	Mr Gibson,	6
	Mr. Haines,	7
	Mr. Harrison,	
	Mr. Hickok,	8
	Mr. Hite,	9
	Mr. Hudson,	10
	Mr. Ing,	11
	Mr. Johnson,	12
	Mr. Kennedy,	13
	Mr. Kinkead,	
	Mr. Larrowe,	14
	Mr. McClure,	15
5	Mr. Mitchell,	
	Mr. Nightingill,	16
	Mr. Noteware,	17
	Mr. Plunkett,	
	Mr. Potter,	
	Mr. Ralston,	18
	Mr. Shamp,	
	Mr. Small,	19
6	Mr. Stark,	
7	Mr. Sterns,	
8	Mr. Stewart,	-
	Mr. Virden,	20
	Mr. Wasson,	21
	Mr. Younge,	22
	[Mr. President]	
	Mr. North.	23
		a 8
		n 23

The Report of the Committee recommending the adoption of the following Section was then agreed to as follows

TAXATION.

SECTION 1. The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, including mines and mining property, excepting such only as may be exempted by law for municipal, educational, literary, scientific, religious or charitable purposes

promotion of literature, the arts and sciences, as may be authorized by the terms of such grant or grants, and it shall be the duty of the Legislature as soon as may be, to provide effectual means for the improvement

	Mr Allan,	NAY
1	Mr Ball,	
2	Mr Bechtel,	
3	Mr. Brown,	
	Mr Bryan,	
	Mr Chapin,	2
	Mr. Collins	
	Mr. Conner,	3
	Mr. Covey,	4
	Mr. Dorsey,	
4	Mr. Ent.	
	Mr. Epler,	5
5	Mr Gibson,	
6	Mr Haines,	
	Mr. Harrison,	
7	Mr. Hickok,	
8	Mr. Hite,	
9	Mr. Hudson,	
10	Mr. Ing,	
11	Mr. Johnson,	
12	Mr. Kennedy,	
22 ~~Mr~~	Mr. Kinkead,	
13	Mr. Larrowe,	
14	Mr. McClure,	
	Mr. Mitchell,	6
15	Mr. Nightingill,	
16	Mr Noteware,	
	Mr Plunkett,	
	Mr. Potter,	
17	Mr Ralston,	
	Mr. Shamp,	
18	Mr. Small,	
	Mr. Stark,	7
	Mr. Sterns,	8
	Mr. Stewart,	9
	Mr. Virden,	10
19	Mr. Wasson,	
20	Mr. Youngs,	
	[Mr President.]	
21	Mr. North.	
	a 22	
	n 10	

Gibson aye
10 old Aged 6

[redacted]

On motion of Mr Gibson ~~the~~ at 11 o'clock AM the convention thereupon journed till 10 o'clock AM to morrow

Twenty first Day
Saturday Nov 2 A.D. 1850

The Convention met at
10 Oclock A. M. Prayer
and to adjournment

Prayer by the Chaplain.

On calling the Roll
the following delegates
were present

and the
following
absent

1	Mr. Alban,	NAY
2	Mr. Ball,	
3	Mr Bechtel,	
	Mr. Brosnan,	
	Mr. Bryan,	
4	Mr. Chapin,	
	Mr. Collins	
5	Mr. Conner,	
6	Mr. Covey,	
	Mr. Dorsey,	
7	Mr. Ent.	
8	Mr Ep'er,	
9	Mr Gibson,	
10	Mr Haines,	
	Mr Harrison,	
11	Mr Hickok,	
~~12~~	Mr Hite,	
12	Mr. Hudson,	
13	Mr. Ing,	
14	Mr. Johnson,	
15	Mr. Kennedy,	
16	Mr. Kinkead,	
17	Mr. Larrowe,	
18	Mr. McClure,	
19	Mr. Mitchell,	
~~20~~	~~Mr. Nightingill,~~	
21	Mr. Noteware,	
	Mr. Plunkett,	
	Mr. Potter,	
22	Mr Ralston,	
	Mr Shamp,	
	Mr. Small,	
	Mr. Stark,	
23	Mr. Sterns,	
	Mr. Stewart,	
24	Mr. Virden,	
	Mr. Wasson,	
25	Mr. Youngs,	
	[Mr President.]	
26	Mr. North.	

The Journal of yesterday was read and approved.

The Convention proceeded to consider the Article entitled "Education", and the same was read as follows.

SEC. 4 The Legislature shall take measures for the protection, improvement, or other disposition of the five hundred thousand acres of land granted to the new States under an act of Congress, distributing the proceeds of the public lands among the several States of the Union, approved A. D 1841, and of all such lands as have been or may hereafter be reserved or granted by the United States, or by any person or persons to this State, for the use of a University or Agricultural College, and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be, and remain a permanent fund, the interest of which shall be applied to the support of said University or Agricultural College, with such branches as the public convenience may demand for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant or grants, and it shall be the duty of the Legislature as soon as may be, to provide effectual means [illegible] of said Uni-

[illegible] ed by the Diaferent [illegible]
ncal & co-ordaining, and
shall

All lands which have
been or may be granted to
appropriated by the United
States, which may in any
way accrue to the State
for Educational purposes
in this State, and the pro
ceeds and income derived
from, shall be & the same
are hereby solemnly
pledged for such purposes
and the said income thereon
shall from time to time be
apportioned among the
several counties in propor
tion to the ascertained
numbers of the persons
between the ages of — and
— years in the differ
ent Counties And the
Legislature shall provide
for the sale of floating land
warrants to cover said land
to the best advantage, and
invest the proceeds therefrom

shall become a part of the Fund

shall become a part of this Petition

[illegible] Schedule, have gone through them with, have made no amendment thereto and directed the Chairman to report the same back to the Convention & recommend its adoption.

The Report was agreed to, as follows.

ARTICLE

SCHEDULE PART FIRST

Section 1 That no inconvenience may arise by reason of a change from a Territorial to a permanent State government, it is declared that all rights, actions prosecutions, judgments claims and contracts as well of individuals as of bodies corporate, shall continue as if no change had taken place, and all process which may issue under the authority of the Territory of Nevada previous to its admission into the Union as one of the United States shall be as valid as if issued in the name of the State of Nevada

Sec 2 All laws of the Territory of Nevada in force at the time of the admission of this State, not repugnant to the Constitution shall remain in force until they expire by their own limitation or be altered or repealed by the Legislature.

Sec 3 All fines, penalties, or forfeitures accruing to the Territory of Nevada shall inure to the State of Nevada

Sec 4 All recognizances heretofore taken or which may be taken before the change from a Territorial to a permanent State Government shall remain valid and shall pass to, and may be prosecuted in the name of the State and all bonds executed to the Governor of the Territory or to any other officer or Court in his or their official capacity or to the people of the United States in the Territory of Nevada, shall pass to the Governor & other officers or Court, and his or their successors in office, for the uses therein respectively expressed, and may be sued on, and recovery had accordingly and all the estate of property, real, personal or mixed, and all judgments bonds, specialties choses in action debts and dues of whatsoever description and all records and public archives of the Territory of Nevada shall pass to, and vest in the State of Nevada and may be sued for and recovered in the same manner and to the same extent by the State of Nevada as the same could have been by the Territory of Nevada All criminal prosecutions and penal actions which may have arisen, or which may arise before the change from a Territorial to a State Government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State All offences committed against the laws of the Territory of Nevada before the change from a Territorial to a State Government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Nevada with like effect as though such change had not taken place and all penalties incurred shall remain the same as if this Constitution had not been adopted All actions at law and suits in equity which may be pending in any of the Courts of the Territory of Nevada at the time of the change from a Territorial to a State Government, may be continued and transferred to any Court of the State which shall have jurisdiction of the subject matter thereof.

Twenty Second Day
Monday, [illegible] 188[illegible]

The Convention met at [illegible]
[illegible]

On calling the Roll the following Delegates were Present

and the following were absent

Mr Albaugh,
Mr Ball,
Mr Bechtel,
Mr Brosnan,
Mr Bryan,
Mr. Chapin,
Mr Collins,
Mr Conner,
Mr. Corey,
Mr Dorsey
Mr Dut,
Mr Epler,
Mr Gibson,
Mr Hames,
Mr Harrison,
Mr. Hickok,
Mr. Hite,
Mr Hudson
Mr. Ing,
Mr Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr Larrowe,
Mr McClure,
Mr Mitchell,
Mr Nightingill,
Mr Noteware
Mr Plunkett,
Mr Potter,
Mr Ralston,
Mr Shamp
Mr Small,
Mr. Stark,
Mr Sterns
Mr Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
Mr President, [Mr North,]

[illegible]

[illegible]

[illegible]

1st Article, on Boundary
2d Article on Corporations
3d Article, on Taxation
4th Article, on Salaries
5th Article on Printing

The Committee would further recommend the following amendments viz

In section 5th of the Article on Corporations strike out the words "paper money" in the 5th & line, & insert in lieu thereof the words

"Bank notes or paper of any kind"

C. H. Bryan
Chairman

The Report was adopted & the ~~recommendations~~ amendments proposed by the Committee ~~agree~~ to the article entitled ~~the~~ Municipal Corporations

Bryan Clerk

~~were~~ agreed to

[illegible] Resolution
Referred that the
[illegible]
[illegible]
& employ a Clerk to
[illegible] of said Clerk.
& ~~compleas~~ commence
at the time his ~~duties~~
were required by the said
Committee
agreed to

Stearns
Rep
Stamp leave
& Read vote
on Saturday

Report of
Militia

To move
to Read articles
at 11 o'clock
Wednesday
Carried
13. 10

Mr. Stearns offered the following
Resolution
Report out
on Education

Resolved; That this Convention
approves a Committee of ~~five~~ persons
to have charge of, and to act at the
time ~~when the~~ question of the admission
of the State of Nevada is pending
before Congress, to memorialize that
body to give the electors of the
Territory, as the basis of, and
preliminary to, the formation of
their Constitution, and the State of Nevada;
And they shall further use every
means within their power to secure
said admission. To induce the United
States to determine the western
boundary of the State of Nevada thereto
and to place her upon an equal footing
with the original States in every respect -
whatsoever, so much of land as is
necessary - to the end that she may have
sufficient [illegible] for [illegible] purposes
[illegible] by Federal law -

Mr Blundell from the standing Committee on Militia Reported the following report.

Mr President.

The Committee on the Militia respectfully beg leave to report the following Act as a substitute for the report heretofore made.

Mr Blundell from the standing Committee on Militia Reported the following report.

Mr President.

Sec 1. All white persons of the United States, except persons of criminal intent, who are by the laws of the State, or shall be subject to Military duty, and be enrolled in the Militia of the State.

The Legislature shall cause the State to be divided into Division, Brigade, Regimental and Company Districts, and shall make provision for furnishing arms, accoutrements and Camp equipage to all Military organizations formed under the laws of the State.

to promotion of literature, the arts and sciences, as may be authorized by the terms of such

shall become a part of the Constitution

It shall also keep such acts as shall be practicable promote the organization of Volunteer Military Companies throughout the State, and the discipline and efficiency of the whole organized Military force of the State,

4

It shall provide, for the holding of an annual Inspection for the organized Volunteer Militia, to commence for not less than ten days at a time, at least once a year, by Battalion where practicable, and where not, by Company, for drill and discipline; and it shall provide reasonable compensation for such Service.

5

The Commander-in-Chief shall appoint a competent Board, or Boards, of Military examination, who shall be sworn to perform their duties

qualified, and to [illegible] examine the applicants for [illegible] commissions, and no commission shall be issued to any person without the certificate of a majority of such Board that he has been duly examined and found competent to discharge the duties of the office for which he shall claim a commission.

6

Judges of the Courts and Ministers of the gospel shall be exempt from enrolment in the Militia; and the Legislature may, for special reasons, exempt other persons from the performance of military duty when danger to the State or exigency does not require their services.

Every person enrolled in the Militia of this State, not a Member of the organized Militia, nor exempt by law, shall pay a Commutation for Military Service; the amount, and manner of collecting which, shall be determined by the Legislature; and the Legislature shall cause the Fund so accruing to be kept separate and apart from other Funds for the payment, so far as may be, of Military expenses.

Military officers shall be chosen as follows: Captains, Subalterns and Non Commissioned officers, by the written Votes of their respective Companies; Field officers of Regiments and Separate Battalions, by the written Votes of the Commissioned officers of the respective Regiments and Separate Battalions; Brigadier Generals and Brigade Inspectors, by the Field-

officers of their respective Brigades.
Major Generals, Brigadier Generals, and Commanding Officers of Regiments or Separate Battalions, shall appoint the staff officers to their respective Divisions, Brigades, Regiments or Separate Battalions; provided that no person shall be eligible to any staff appointment unless he has held a Commission in the line; and that the acceptance of any Commission shall vacate the preceding one.

4

Chief of the ~~Militia of the State and the Legislature~~ The Governor shall be Commander-in-Chief of the Militia, and shall nominate, and, with the consent of the Senate, appoint all Major Generals, the Quarter-master, ~~and~~ Commissary Generals and Adjutant Generals, other Chiefs of staff departments, and the Aids-de-Camp of the Commander in Chief shall be appointed by the Governor; and all staff ~~appointments~~ appointments shall ~~terminate~~ expire with the termination of office of the person appointing.

10

The duties of Quarter-Master & Commissary General, may, should the Legislature so determine, be performed by the Adjutant General.

11

The Commissioned officers shall be commissioned by the Governor, and no Commissioned officer shall be removed from office, unless by the Senate on the recommendation of the Governor, stating the grounds on which such removal is recommended, or by the decision of a Court Martial pursuant to law.

12

Courts-Martial, and Courts of Enquiry shall consist of not more than three Members.

13

The Legislature shall provide by law for the protection and keeping of the Public arms, whenever Rights and for the expenses of their transportation.

14

The Governor shall have power to call for the Militia to execute the laws of the State, to suppress insurrections, to repel invasions, or whenever the safety of the State or Country shall require and whenever so called out the Militia shall receive the same pay as the United States regular Army.

15

The Militia shall in all cases, except treason, felony or breach of the peace, be privileged from arrest, while in attendance, going to, or returning from any duty enjoined by law.

All of which is respectfully submitted

D. P. Pleukett
D. L. Gibson
Committee

The Report ~~was~~ received and adopted and ordered printed

Mr Lamoure moved that the 3rd Reading of ~~the~~ Articles reported as corrected from the Standing Committee on Phraseology be made the Special Order for 10 o'clock A.M. on Wednesday next ~~Agreed~~

Agreed to

Mr Young moved that the Convention do now ~~take up for consideration~~ continue the second reading of the article entitled Education

Agreed to.

The ~~Convention~~ Fourth Section having been reached on Saturday last, was read as follows

1 Sec 4 The Legislature shall take measures for the protection, improvement, or other
2 disposition of the five hundred thousand acres of land granted to the new States under an
3 act of Congress, distributing the proceeds of the public lands among the several States of
4 the Union, approved A D 1841, and of all such lands as have been or may hereafter be
5 reserved or granted by the United States or by any person or persons to this State, for the
6 use of a University or Agricultural College, and the funds accruing from the rents or sale
7 of such lands, or from any other source for the purpose aforesaid, shall be, and remain a
8 permanent fund, the interest of which shall be applied to the support of said University
9 or Agricultural College, with such branches as the public convenience may demand for the
10 promotion of literature, the arts and sciences, as may be authorized by the terms of such

The substitute offered by Mr. ~~Hofstrom~~ Kennedy on Wednesday March for the preceding decision was taken from the tables and read as follows

Sec 4. All lands which have been or may be granted or appropriated by the United States, or which may in any way accrue to the State for Educational purposes in this State, and the proceeds and income derived therefrom, shall be and the same are hereby solemnly pledged for such purposes and the said income therefrom shall, from time to time, be apportioned among the several counties in proportion to the ascertained numbers of the persons between the ages of ^ and ^ years in the different counties. And the Legislature shall provide for the sale of floating land warrants to cover said land to the best advantage, and invest the proceeds therefrom, and all other money that may accrue to the State for Educational purposes in United States Bonds, which shall continue a perpetual School Fund The interest thereof alone shall be applicable to Educational purposes.

Mr Kennedy moved to amend the substitute by inserting after the word "counties" in the 4th line the following words viz:

"Provided that the Legislature may retain such lands or portion of the income derived therefrom as they may deem necessary for the support of a State University or agricultural College"

The amendment was accepted by the mover of the original substitute.

Dr. Hagerty ... [illegible] the "Banks" and the [illegible] of Mr. Mahon substitutes words "six" and "fourteen"

Agreed to

Mr. Mahon moved that Sec. 3. #4 & 5 of the said Article together with the substitutes offered by Mr Watson for Sec 4 as amended be recommitted to the Standing Committee on Education. & further that Messrs Watson & Kennedy be added to such committee

Agreed to

Mr. Larmour moved that the further consideration of the Article under the Second Reading be deferred till such time as the Committee on Education may report on the matters recommitted to them.

Agreed to

Mr Reame of Cincinnati that the Convention do now take a recess till 7 O'Clock P.M.

Which motion prevailed

And the Convention took a recess till 7 O'Clock P.M.

7 O'Clock P.M.

Mr Entrakin asked leave of absence for Mr Shamp until Thursday morning

Mr Dig asked leave of absence of Mr Kattus for an indefinite period

Leave was granted.

Mr Hickok from the Standing Committee on Education to which was recommitted Secs 3. 4. & 5 of the article Entitled "Education" & the substitute therefor submitted ~~thereto~~, the following Report viz

Mr Hackett from the Committee on Education & who [illegible] was committed [illegible] Education. respectfully submitted the following report.

SUBSTITUTE FOR SECTIONS 3, 4, & 5

SEC 3. All lands and all proceeds of lands that have been or may be granted or appropriated by the United States to this State, all estates that may escheat to the State, all of such per cent as may be granted by Congress on the sale of land, all fines collected under the penal laws of the State, all property given or bequeathed to the State for Educational purposes, and all proceeds derived from any or all of said sources—shall be, and the same are hereby, solemnly pledged for Educational purposes, and shall not be transferred to any other fund for other uses, and shall, from time to time, be [illegible] among the several counties in proportion to the [illegible] number of [illegible] between the ages of [illegible] and [illegible] in the [illegible] for the support of [illegible] and the interest [illegible] from [illegible] United States Bonds [illegible] the aforesaid proceeds shall be used for Educational purposes and the [illegible] interest shall be added to the principal sum And provided further, that such portion of said interest as may be necessary, may be appropriated for the support of the State University

SEC 4 The Legislature shall provide for the establishment of a State University, with an Agricultural and Mining Department, which shall be free to all white male pupils between the ages of 14 and 21 years, possessing such qualifications as may be prescribed by the Board of Regents, and whose parents or guardians are citizens of this State.

WM B HICKOK, Chairman

The Report was accepted & ordered printed.

Mr Larrowe moved to amend the foregoing substitute by striking out the word "four" in the 10th line, and inserting in lieu thereof the word "six"

Agreed to

Sec. 3. All lands and all proceeds of lands that have been or may be granted or appropriated by the United States to this State, all estates that may escheat to the State; all of such per cent. as may be granted by Congress on the sale of land, all fines collected under the penal laws of the State; all property given or bequeathed to the State for Educational purposes, and all proceeds derived from any or all of said sources—shall be, and the same are hereby, solemnly pledged for Educational purposes, and shall not be transferred to any other fund for other uses, and shall forever remain inviolate, subject only to appropriations [illegible] be made by the Legislature [illegible] Provided, That the Legislature may make such provisions, from the proceeds of the above mentioned lands, as may be necessary to secure a just equivalent for such lands as may be granted to the State, which may be sold or otherwise disposed of before the proceeds of the same shall be paid into the State Treasury, and the Legislature may provide for the sale of lands granted to the State, in such manner as they may deem best for the interest of the State, and

Mr. Harrison moved to strike
out the word "Eighteen" in
the 2d line & insert in lieu
thereof the word "Fourteen"

Negatived.

Mr Ralston moved to amend
by inserting between the
words "State" & "all" in the 2d
line the words "for" Education
al purposes"

On calling the Roll the
motion was negatived by the
following vote

		YE.	NAY.
	Mr. Allan,		
	Mr Ball,		
	Mr Bethel,		2
	Mr Boshan,		
	Mr Bryan,		3
1	Mr Chapin,		
	Mr. Collins		
2	Mr Conner,		
	Mr Cooley,		
	Mr. Dorsey,		
	Mr Ent		
3	Mr Epler,		
4	Mr Gibson,		
	Mr Haines		
	Mr Harrison,		
	Mr Hickok,		4
5	Mr Hite,		
	Mr Hudson,		13
	Mr Ing,		5
	Mr Johnson,		
	Mr Kennedy,		6
	Mr Kinkead,		
6	Mr Larrowe,		
	Mr McClure,		
	Mr. Mitchell,		
	Mr Nightingill,		7
7	Mr. Noteware,		
	Mr Plunkett,		8
	Mr Potter,		
8	Mr Ralston,		
	Mr Shamp,		
	Mr. Small,		9
	Mr. Stark,		~~9~~
	Mr Sterns,		10
9	Mr. Stewart,		
	Mr. Virden,		
	Mr. Wasson,		11
	Mr. Youngs,		12
	[Mr. President]		
10	Mr. North.		
	Allen		10
	Grey		13

Mr B
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to vote

Mr Bryan moved to amend the 2nd sect. Sec 3 by striking out the word "eighteen" in the 2nd line & inserting in lieu thereof the word "fourteen".

Agreed to.

Mr Bryan moved to amend the 2nd sect. Sec 3 by inserting after the word "land" in the first line the words "except lands containing mines"

Agreed to.

Mr Chapin moved to amend 2nd Sec 3. by inserting between the words "and" and shall in the 8th line ~~and except in lieu thereof~~ the words "the right reserved"

agreed to ~~negatived~~.

8 Mr Ralston,
Mr. Shamp,
Mr Small,
Mr. Stark,
Mr Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
[Mr President]
Mr. North.

Ayes 10
Noes 7

Substitute [illegible] reported from standing Committee [illegible] adopted [illegible]

[illegible] moved [illegible] reader, the rule, first taken and passing the substitute Sess 3. Yrs.

Agreed to

~~Mr Ball~~ the question recurring upon the adoption of the Substitute Sess 3,

Mr Plunkett moved to amend Sess 3. by striking out the word "Male," before the word "pupils" in the 2d line.

On calling the Roll the motion to amend was agreed to by the following vote

		YEA	NAY
	Mr Alban,		
	Mr Ball,		
	Mr Lechtel,		/
	Mr Rosnan,		
2	Mr Bryan,		
	Mr. Chapin,		
	Mr Collins		
	Mr Conner,	2	
	Mr Covey,		
	Mr Dorsey,		
3	Mr Fut		
	Mr Ep'er,	3	
	Mr Gibson,	4	
	Mr Haines		
	Mr Harrison,		
	Mr Hickok,	5	
	Mr Hite,	6	
	Mr Hudson,	7	
	Mr Ing,	8	
	Mr Johnson,		
13	Mr Kennedy,	~~11~~	
~~1~~	Mr Kinkead,		
4	Mr Larrowe,		
	Mr McClure,		
	Mr. Mitchell,		
5	Mr Nightingill,		
6	Mr Noteware,		
7	Mr Plunkett,		
	Mr. Potter,		
	Mr Ralston,		11
	Mr. Shamp,		
8	Mr Small,		
	Mr Stark,		
9	Mr Sterns,		
10	Mr Stewart,		
	Mr. Virden,		
11	Mr. Wasson,		12
	Mr. Youngs,		

On Consideration reason taken Amendment adoption

may

[illegible] adopted from standing [illegible] amended [illegible] adopted for. And in place of [illegible] is S. 44 [illegible]

Mr Dawson moved to reconsider the vote, first taken adopting the substitute S.E.'s S.44.

agreed to

~~Mr Ellis~~ The question recurring upon the adoption of the Substitute S.E.'s,

Mr Plunkett moved to amend S.E.'s by striking out the word "Male" before the word "pupils" & inserting in lieu thereof the word "persons"

Mr Kinkead
Mr Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr Nightingill,
Mr Noteware,
Mr. Plunkett,
Mr. Potter,
Mr Ralston,
Mr. Shamp,
Mr. Small,
Mr Stark,
Mr Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
[Mr. President]
Mr. North

4		
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		11
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10		
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		12
12		
	Yes	13
	Nay	12.

All the agreed to

Mr Sr reconsidered Mr & immediately Kew withdrew motion

[illegible] May [illegible]

YE.		NAY.
	Mr Alban,	1
	Mr Ball,	
	Mr Bechtel,	2
	Mr Bosman,	
	Mr Bryan,	3
	Mr Chapin,	4
	Mr Collins	
	Mr Conner,	5
	Mr Covey,	
	Mr Dorsey,	
	Mr Ent	6
	Mr. Epler,	7
	Mr Gibson,	
	Mr. Hanes,	
	Mr. Harrison,	
2	Mr Hickok,	
	Mr Hite,	8
	Mr. Hudson,	9
3	Mr Ing,	
	Mr Johnson,	
4	Mr Kennedy,	
	Mr. Kinkead,	
	Mr Larrowe,	10
	Mr McClure,	
	Mr Mitchell,	
	Mr Nightingill,	11
	Mr Noteware,	12
	Mr Plunkett,	13
	Mr Potter,	
	Mr Ralston,	14
	Mr Shamp,	
	Mr Small,	15
	Mr. Stark,	
	Mr. Sterns,	16
	Mr Stewart,	17
	Mr. Virden,	
	Mr. Wasson,	19
	Mr. Youngs,	20.
	[Mr President]	
	Mr. North.	21
	Ayes	4
	Noes	21.

The question recurring on the motion of Mr Larrowe to indefinitely postpone the motion to reconsider

On calling the Roll the motion to indefinitely postpone the motion to reconsider prevailed by the following vote -

		YEA	NAY
1	Mr Alban,		
	Mr Ball,		
2	Mr. Bechtel,		
	Mr Brosnan,		
3	Mr. Bryan,		1
	Mr Chapin,		
	Mr Collins		
	Mr Conner,		2
	Mr Covey,		
	Mr Dorsey,		
4	Mr Ent.		
	Mr Epler,	3	
	Mr Gibson,	4	
	Mr Hanes		
	Mr Harrison,		
	Mr Hickok,	5	
	Mr Hite,	6	
	Mr Hudson,	7	
	Mr Ing,	8	
	Mr Johnson,		
	Mr. Kennedy,	9	
	Mr Kinkead,		
5	Mr Larrowe,		
	Mr McClure,		
	Mr. Mitchell,		
6	Mr. Nightingill,		
7	Mr. Noteware,		
8	Mr Plunkett,		
	Mr. Potter,		
	Mr. Ralston,		10

Mr G amendment Entitled an act to amend the several acts relative to the Courts of Justice

The question recurring on the ayes & noes on the amendments reported by the Committee on Education

Mr Larrowe,
Mr McClure,
Mr Mitchell,
Mr Nightingill
Mr Noteware,
Mr Plunkett,
Mr Potter,
Mr Ralston,
Mr Shamp,
Mr. Small,
Mr. Stark,
Mr. Steins,
Mr Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
[Mr President]
Mr. North

Ayes 14
Nays 10.

Mr Youngs moved to amend Sec 6 of the article entitled Education as originally reported by inserting after the word Alleye in the 3rd line the words "and Common Schools"

Agreed to

Mr. Stewart from the standing Committee on Impeachments submitted the following Report.

Mr Blanchard, from Committee to whom was referred the subject of impeachment begs leave to submit the following report.

Article.

Impeachment and Removal from Office

1 The Assembly shall have the sole power of impeaching; but a majority of all the Members Elected, must concur in an impeachment. All impeachments shall be tried by the Senate; and when sitting for that purpose, the Senators shall be upon oath, or affirmation, to do justice according to law and evidence. No person shall be convicted without the Concurrence of two thirds of the Senators elected.

2. The Governor and other Civil officers under this State government shall be liable to Impeachment for any Misdemeanor or Malfeasance in office, but judgement in such case shall not extend further than to removal from office, and disqualification to hold any office of honour profit or trust, under this State. The party, whether convicted or acquitted, shall nevertheless, be liable to indictment, trial, judgement, and punishment according to law.

3. For any reasonable cause to be entered on the Journals of each house, which may or may not be sufficient grounds for [illegible]ment, the Chief Justice [illegible]

~~Appointed Justices of the Supreme Court~~
and Judges of the District or County
Courts, shall be removed from office
on the vote of two thirds of the Members
elected to each branch of the Legislature
and the Justice or Judge Complained of
shall be served with a copy of the
Complaint against him, and
shall have an opportunity of being
heard in person or by Counsel in
his defence. Provided, that no Member
of either branch of the Legislature shall
be eligible to fill the vacancy, created
by such Removal.

4. Provision may be made by law
for the removal ~~from office~~ of
other Civil officers for malfeasance
or nonfeasance ~~in office~~
in the performance of their duties,
all of which is respectfully
submitted.

Wm M Stuart
Chairman

~~Mr.~~ On motion ~~the Convention~~
Report was accepted and
Ordered printed.

~~Young Committee~~
~~Nightingill Judge~~

Mr. Nightingill moved that the Convention do now adjourn
Agreed to ayes 9. nay 7.
p.m
at 9 o'clock the Convention adjourned till 10 o'clock a.m tomorrow.

w

Twenty third Day
Tuesday Nov 25th 1862

The Convention met at
pursuant to adjournment
Prayer by the Chaplain
On calling the Roll the following Delegates were.
Present.

And the Roll
among absent

Plunkett

Lamoure

The Jour
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Mr. A
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27th Inst
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Mr. Alban,
Mr. Ball,
Mr. Bechtel,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins,
Mr. Conner,
Mr. Corey,
Mr. Dorsey,
Mr. Ent,
Mr. Epler,
Mr. Gibson,
Mr. Haines,
Mr. Harrison,
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,

day was

leave to
d on the
adoption
"Taxation"
on the

war

ved that
the arti
be again

Mr Nightingale,
Mr Notoware,
Mr Plunkett,
Mr. Potter,
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
Mr. President, [Mr. North,]

Journal Read

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The Journal of yesterday was read and approved.

Plunkett

Mr. Plunkett asked leave to have his vote recorded in the affirmative on the adoption of the article entitled "Taxation" which was adopted on the 27th Inst.

Larrowe

On motion leave was granted.

Mr Larrowe moved that the second reading of the article Entitled Education be again resumed

Agreed to

the entire article was then read

Mr Lamoure moved to amend Sec 4. in the 7th line by inserting after the word "University" the words "or agricultural College" and further to strike out the words "an agricultural and" in the 2nd line and inserting in lieu thereof the letter "a." so that if amended as proposed the Section would read as follows viz:

or agricultural College.

SEC. 4. The Legislature shall provide for the establishment of a State University,

a

with ~~an Agricultural and~~ Mining Department, which shall be free to all white

pupils between the ages of 14 and 21 years, possessing such qualifications

as may be prescribed by the Board of Regents, and whose parents or guardians

are citizens of this State.

Agreed to.

Mr Chapin moved to amend Sec 5 by inserting after the word "College" in the 3rd line the words "with a mining Department" so that if amended as proposed the Sec would read as follows

SEC. 5. The Legislature shall provide a special tax of one half of one mill on the dollar of all taxable property in the State, in addition to the other means provided, for the with a Mining Department & Common Schools

support and maintenance of said University or Agricultural College; *provided*, that at the

end of ten years they may reduce said amount to one quarter of one mill on each dollar of

taxable property.

Agreed to

Mr Chapin moved to amend Sec. 3 by inserting after the word "Bonds" in the 13 line the words "or other safe securities" as that of recommended as pro-vided the section would read as follows \

(Except lands containing mines)

Sec. 3. All lands and all proceeds of lands that have been or may be granted or appropriated by the United States to this State; all estates that may escheat to the State; all of such per cent. as may be granted by Congress on the sale of land; all fines collected under the penal laws of the State; all property given or bequeathed to the State for Educational purposes, and all proceeds derived from any or all of said sources—shall be, and the same are hereby, solemnly pledged for Educational purposes, and shall not be transferred to any to interest thereon.
other fund for other uses, and shall, from time to time, be apportioned among the several counties, in proportion to the ascertained numbers of the persons between the ages of 6 and 16 years in the different counties And the Legislature shall provide for the sale of floating land warrants to cover the aforesaid land, and the investment of all proceeds derived from any of the above mentioned sources in United States Bonds or other safe Securities. Provided, that the interest only of the aforesaid proceeds shall be used for Educational purposes, and any surplus interest shall be added to the principal sum And provided further, that such portion of said interest as may be necessary, may be appropriated for the support of the State University.

On calling the Roll the motion to amend was negatived by the following vote

YE.		NAY.
	Mr Alban,	
	Mr. Ball,	
1	Mr Bechtel,	
	Mr. Bosman,	
	Mr. Bryan,	
2	Mr. Chapin,	13
	Mr. Collins,	
3	Mr. Conner,	
	Mr Corey,	
	Mr. Dorsey,	
	Mr Ent	1
	Mr. Epler,	2
4	Mr Gibson,	
	Mr Haines,	
	Mr. Harrison,	
	Mr. Hickok,	
5	Mr. Hite,	
	Mr. Hudson,	3
	Mr. Ing,	4
	Mr. Johnson,	
	Mr. Kennedy,	5
6	Mr. Kinkead,	
	Mr. Larrowe,	6
	Mr. McClure,	
	Mr. Mitchell,	
	Mr. Nightingill,	7
	Mr. Noteware,	

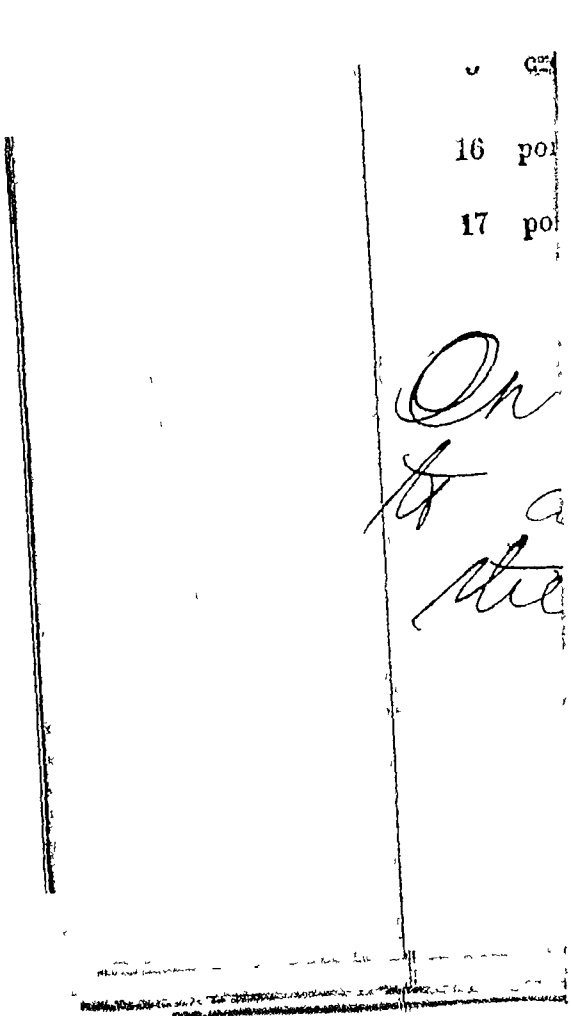
Sec. 3 by inserting after the word "Bonds" in the 13 line the words "or other safe securities" so that as amended the section shall read as follows.

(Except land containing mines)

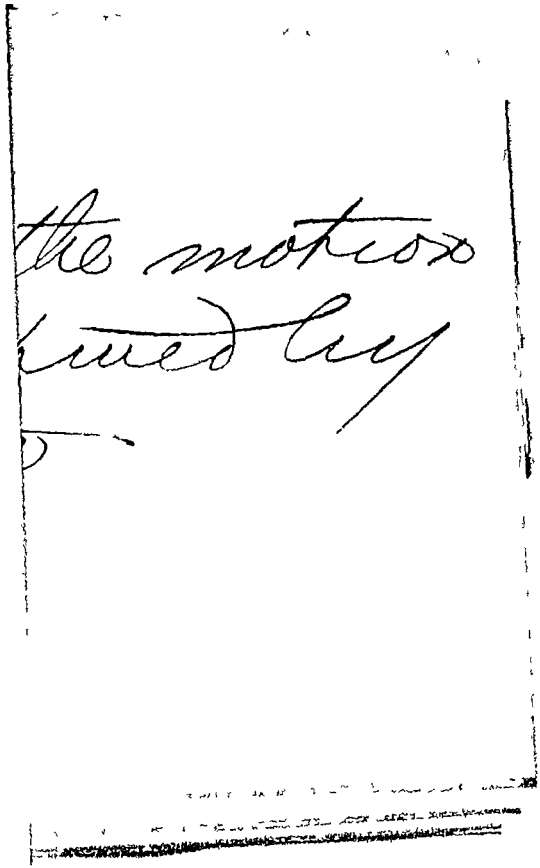
SEC. 3. All lands and all proceeds of lands that have been or may be granted or appropriated by the United States to this State, all estates that may escheat to the State, all of such per cent. as may be granted by Congress on the sale of land; all fines collected under the penal laws of the State, all property given or bequeathed to the State for Educational purposes, and all proceeds derived from any or all of said sources—shall be, and the same are hereby, solemnly pledged for Educational purposes, and shall not be transferred to any other fund for other uses, and shall, from time to time, be apportioned among the several counties, in proportion to the ascertained numbers of the persons between the ages of 6 and 16 years in the different counties. And the Legislature shall provide for the sale of floating land warrants to cover the aforesaid land, and the investment of all proceeds derived from any of the above mentioned sources in United States Bonds or other safe securities: Provided, that the interest only of the aforesaid proceeds shall be used for Educational purposes, and any surplus interest shall be added to the principal sum. And provided further, that such portion of said interest as may be necessary, may be appropriated for the support of the State University.

On calling the Roll the motion was carried by the following vote:

Mr. Alper,	2
Mr Gibson,	
Mr. Haines,	
Mr. Harrison,	
Mr. Hickok,	
Mr. Hite,	5
Mr. Hudson,	3
Mr. Ing,	4
Mr. Johnson,	
Mr. Kennedy,	5
Mr. Kinkead,	6
Mr. Larrowe,	6
Mr. McClure,	
Mr. Mitchell,	
Mr. Nightingill,	7
Mr. Notoware,	
Mr. Plunkett,	7
Mr. Potter,	
Mr. Ralston,	8
Mr. Shamp,	
Mr. Small,	8
Mr. Stark,	9
Mr. Sterns,	10
Mr. Stewart,	
Mr. Virden,	
Mr. Wasson,	11
Mr. Youngs,	12
[Mr. President.]	



Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
7 Mr Plunkett,
Mr. Potter,
8 Mr Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
[Mr President :]
9 Mr. North.



[illegible] moved to amend
the 2nd Section by striking out
all after the word "incapacitated"
in the 8th line the words "but
no religious instruction shall
be allowed at any Public School
Established by them" and insert
ing in lieu thereof the ~~following~~
words. "but the peculiar tenets
of any religious sect shall not
be taught in any school Establish
=ed in this state." so that if
amended as proposed the
Section would read as
follows.

Sec. 2. The Legislature shall provide for a system of Common Schools, by which a school shall be established and maintained in each District, at least six months in every year, and any School District neglecting to establish and maintain such a school, may be deprived of its proportion of the interest of the public school fund during such neglect. The Legislature shall, within two years pass such laws as shall make it compulsory with White parents and guardians that all children under their charge between the ages of six and fourteen years, shall receive educational instruction for at least three months in each year, unless physically or mentally incapacitated;

but the peculiar tenents of any religious sect shall not be taught in any school established in this state"

Negatived

Mr Chapin gave notice that he would move a reconsideration of the vote rejecting his motion to amend Sec 3. on the 13th line by inserting after the word "Bonds" the words "or other safe securities"

Mr Watson moved that the said vote be reconsidered now Mr Sarrow moved that the motion to reconsider be indefinitely postponed.

Negatived Ayes 5 Nays 11.

Mr Nightingill moved to lay the motion to reconsider on the table

agreed to.

Mr Chapin moved to amend the article by adding the following new Section. viz Sec 7.

The Board of Regents shall, from the first interest funds which come under their control, immediately organize and maintain the said Mining Department in such manner as to make it the most efficient & useful.

Adopted.

Mr Cole moved that the report on "Education" as amended be ordered Engrossed for a third Reading

Agreed to.

Mr Chapin moved to reconsider the vote adopting the said motion.

Negatived

Mr Conner proposed to submit an article Entitled the "Schedule"

Mr Young moved ~~to amend~~ that Mr Conner be added to the Committee on Schedule

agreed to

Mr Conner offered a report from the minority of the Standing Committee on Schedule.

Ruled out of Order by the President

Mr Young moved that ~~Yesterday~~ the vote adopting the motion ~~record~~ ~~Yesterday~~ making the third Reading Engrossed of Articles the Special Order for Wednesday at 10 o'clock be reconsidered.

agreed to.

the question remaining on the adoption of the said resolution.

Mr O'Connor moved to amend the 2nd and 3rd Readings of Engrossed Articles the Special Order for this (Tuesday) afternoon at 1 o'clock.

Agreed to and as amended the orginal motion prevailed.

Mr Kennedy moved that the Standing Committee on Schedule be authorged to have their report printed before submitting the same to this convention.

Agreed to.

On motion of Mr Lute at 11:20 o'clock Am the Convention took a recess till 1 o'clock PM

1 o'clock p.m.
The Speaker then announced the 3rd Reading of the Articles of the Constitution for the State of Nevada and the same proceeded with, as follows, viz.

Article — BOUNDARY.

Sec. 1 The Boundary of the State of Nevada shall be as follows:

Beginning at the point of intersection of the forty-second degree of north latitude, with the thirty-eighth degree of longitude west from Washington—thence running south, on the said thirty-eight degree of west longitude, until it intersects the northern boundary line of New Mexico, thence due west along the northern boundary line of New Mexico, until such line intersects the easterly boundary of the State of California, thence northerly along the eastern boundary line of the State of California until such line intersects the forty second degree of north latitude, thence east with said forty-second degree of north latitude to the place of beginning.

And whensoever Congress shall authorize the addition to the Territory or State of Nevada, of any portion of the Territory, on the easterly border of the foregoing defined limits not exceeding, in extent, one degree of longitude, the same shall thereupon be embraced within and become a part of this State And furthermore provided, that all such Territory lying west of and adjoining the boundary line herein prescribed, which the State of California may relinquish to the Territory or State of Nevada, shall thereupon be embraced within and constitute a part of this State.

This article having had three several readings was then On calling the Roll finally adopted by the following vote

YEA.	NAY.
Mr. Alban,	
Mr. Ball,	
Mr Bechtel,	
Mr. Brosnan,	
Mr. Bryan,	
1 Mr. Chapin,	
Mr. Collins	
2 Mr. Conner,	
Mr. Covey,	
3 Mr. Dorsey,	
4 Mr. Ent.	
5 Mr. Ep'er,	
6 Mr Gibson,	
7 Mr. Haines,	
Mr. Harrison,	
8 Mr. Hickok,	
9 Mr. Hite,	
Mr. Hudson,	
10 Mr. Ing,	
Mr. Johnson,	
11 Mr. Kennedy,	
12 Mr. Kinkead,	
13 Mr. Larrowe,	
Mr. McClure,	

ted by the following

	NAY.
Mr. Alban,	
Mr Ball,	
Mr. Bechtel,	
Mr. Brosnan,	
Mr. Bryan,	
[illegible]	
Mr. Collins	
2 Mr. Conner,	
Mr. Co ey,	
3 Mr. Dorsey,	
4 Mr. Ent.	
5 Mr. Ep'er,	
6 Mr Gibson,	
7 Mr. Haines,	
Mr. Harrison,	
8 Mr. Hickok,	
9 Mr. Hite,	
Mr. Hudson,	
10 Mr. Ing,	
Mr. Johnson,	
11 Mr. Kennedy,	
12 Mr. Kinkead,	
13 Mr. Larrowe,	
Mr. McClure,	
14 Mr. Mitchell,	
15 Mr. Nightingill,	
Mr. Noteware,	
16 Mr. Plunkett,	
Mr. Potter,	
17 Mr. Ralston,	
Mr. Shamp,	
18 Mr. Small,	
Mr. Stark,	
Mr. Sterns,	
19 Mr. Stewart,	
Mr. Virden,	
20 Mr. Wasson,	
21 Mr. Youngs,	
[Mr. President :]	
22 Mr. North.	
Affirm	22
Negatives	

ARTICLE

SALARIES

SECTION 1 The Governor shall receive an annual salary of ~~three~~ six thousand dollars The Secretary of State shall receive an annual salary of ~~three~~ four thousand dollars. The State Controller shall receive an annual salary of ~~six~~ four thousand dollars The State Treasurer shall receive an annual salary of ~~three~~ four thousand dollars The Attorney General shall receive an annual salary of eighteen hundred dollars. The Superintendent of Public Instruction shall receive an annual salary of ~~eighteen hundred~~ two thousands dollars. They shall receive no fees or perquisites to their own use, for the performance of any duties connected with their offices

This article having had three several readings was On calling the Roll finally adopted by the following vote

AYE.	NAY.
Mr Albau.	
Mr Ball,	
Mr. Fechtel,	
Mr Grosman,	
Mr Bryan,	
Mr Chapin,	
Mr. Collins	
Mr Conner,	
Mr Covey,	
Mr. Dorsey,	
Mr. Ent.	
Mr Ep'er,	
Mr Gibson,	
Mr Haines,	
Mr. Harrison,	
Mr Hickok,	
Mr. Hite,	
Mr Hudson.	
Mr. Ing,	
Mr Johnson,	
Mr. Kennedy,	
Mr. Kinkead,	
Mr. Larrowe,	
Mr. McClure,	
Mr. Mitchell,	
Mr. Nightingill,	
Mr. Noteware,	
Mr. Plunkett,	
Mr. Potter,	
Mr. Ralston,	
Mr. Shamp,	
Mr. Small,	
Mr. Stark,	
Mr. Sterns,	
Mr. Stewart,	
Mr. Virden,	
Mr. Wasson,	
Mr. Youngs,	
[Mr. President:]	
Mr. North.	
Whole	22

14	Mr. Ralston,	
	Mr. Shamp,	
16	Mr. Small,	
	Mr. Stark,	
19	Mr. Sterns,	
	Mr. Stewart,	2
	Mr. Virden,	
20	Mr. Wasson,	
21	Mr. Youngs,	
	[Mr. President.]	
22	Mr. North.	
	affirm	22
	neg	2

Article TAXATION

1 SECTION 1 The Legislature shall provide by law for a uniform and equal
2 rate of assessment and taxation, and shall prescribe such regulations as shall
3 secure a just valuation for taxation of all property, both real and personal
4 including mines and mining property, excepting such only as may be exempt-
5 ed by law for municipal, educational, literary, scientific, religious or charitable
6 purposes.

Mr Stewart moved to recommit the article to the standing Committee on Taxation with instructions to amend the same by striking out the words "both real and personal, including mines & mining property" in the 2nd & 4th lines, and inserting in lieu thereof the words "in the State".

On calling the Roll the motion to recommit was negatived by the following vote.

N.Y.	Mr. Alban,	NAY
	Mr Ball,	
	Mr Fechtel,	1
	Mr Frosman,	
	Mr Bryan,	
1	Mr Chapin,	
	Mr Collins	
2	Mr Connel,	2
	Mr Co.ey,	
2	Mr Dorsey,	
	Mr Ent	3
3	Mr Ep'ei,	
	Mr Gibson,	4
	Mr. Hames,	5
	Mr. Harrison,	
	Mr. Hickok,	6
	Mr. Hite,	7
	Mr. Hudson,	
	Mr Ing,	8
	Mr. Johnson,	
	Mr. Kennedy,	9
	Mr. Kinkead,	10
	Mr. Larrowe,	11
	Mr. McClure,	
4	Mr Mitchell,	
5	Mr. Nightingill,	
	Mr. Noteware,	
	Mr. Plunkett,	12
	Mr. Potter,	
	Mr Ralston,	13
	Mr. Shamp,	
	Mr Small,	14
	Mr. Stark,	
6	Mr. Sterns,	
7	Mr. Stewart,	
	Mr. Virden,	
	Mr. Wasson,	15
	Mr. Youngs,	16
	[Mr President]	
	Mr. North.	17
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The article entitled "Taxation" having had three several readings was on calling the Roll finally adopted by the following vote

	YEA.	NAY.
	Mr. Alban,	
	Mr Ball,	
/	Mr Bechtel,	
	Mr Brosnan,	
	Mr. Bryan,	
	Mr. Chapin,	/
	Mr Collins	
2	Mr. Conner,	
	Mr. Co.ey,	
3	Mr. Dorsey,	2
3	Mr. Ent	
	Mr. Ep'er,	3
4	Mr Gibson,	
5	Mr. Haines	
	Mr. Harrison,	
6	Mr. Hickok,	
7	Mr. Hite,	
	Mr. Hudson,	
8	Mr Ing,	
	Mr. Johnson,	
9	Mr. Kennedy,	
10	Mr. Kinkead,	
11	Mr. Larrowe,	
	Mr McClure,	4
	Mr. Mitchell,	
12	Mr. Nightingill,	
	Mr. Noteware,	
13	Mr. Plunkett,	
	Mr. Potter,	
14	Mr. Ralston,	1
	Mr. Shamp,	

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The article Entitled "Taxation" having had three several readings was on calling the Roll finally adopted by the following vote

	Mr Hudson,	
8	Mr. Ing,	
	Mr Johnson,	
9	Mr Kennedy,	
10	Mr. Kinkead,	
11	Mr. Larrowe,	
	Mr. McClure,	~~4~~ 4
	Mr. Mitchell,	
12	Mr. Nightingill,	
	Mr. Noteware,	
13	Mr. Plunkett,	
	Mr. Potter,	
14	Mr. Ralston,	
	Mr. Shamp,	
15	Mr. Small,	
	Mr. Stark,	
	Mr. Sterns,	5
	Mr. Stewart,	6
	Mr. Virden,	
16	Mr. Wasson,	
17	Mr. Youngs,	
	[Mr. President :]	
18	Mr. North.	
	Affir.	18.
	neg.	6

the article entitled "Munic
ipal & other Corporations" com
ing up for a third reading
Mr Kinkead moved to re-
commit the said Article back
to the Standing Committee
on Corporations with instruc
tions to amend Sec. 8 which
read as follows viz.
Sec 8. "The State shall not subscribe
to, or be interested in, the Stock
of any company, association
or corporation"
By adding thereto the
following words"
Provided the
Legislature may use the credit
of the State to an amount not
exceeding three millions of Dollars
($3.000.000) said in the construc
tion of a Rail Road connecting
this state with the Pacific Coast

Mr Hite moved as a substi
tute for Mr Kinkeads propo
se. the following.
Provided
that the State may issue bonds
to an amount not exceeding

11th
6
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three million Dollars, on such terms as the Legislature may prescribe, to the rail road that will be first completed to the State line, connecting this State with the navigable waters of California, but no proposition to issue bonds shall be effective unless authorized by a vote of the people.

Motion mad to lay the article and proposed amendments on the table and further that the same ~~may~~ be made the Special Order for 1 oclock PM on Wednesday next.

Agreed to.

Article

State Printing.

Sec 1. All printing for this State shall be let out to the lowest responsible bidder, The Governor Secretary of State, and Comptroller shall be a board to advertise for bids and award the printing

This article having had three several readings was on calling the Roll Last by the following vote.

		Mr. Alban,	NAY
		Mr Ball,	
	1	Mr. Bechtel,	
		Mr Brohan,	
		Mr Bryan,	
		Mr Chapin,	2
		Mr. Collins	
	2	Mr Conner,	
		Mr Co ey,	
		Mr. Dorsey,	3
	3	Mr Ent.	
		Mr. Ep'es,	4
		Mr Gibson,	5
		Mr. Haines,	6
		Mr. Harrison,	
	4	Mr. Hickok,	
	5	Mr Hite,	
		Mr Hudson,	
	6	Mr Ing,	
		Mr Johnson,	
	7	Mr Kennedy,	
		Mr Kinkead,	7
		Mr. Larrowe,	8
		Mr McClure,	
		Mr. Mitchell,	9
		Mr. Nightingill,	10
		Mr. Noteware,	
		Mr Plunkett,	11
		Mr. Potter,	
		Mr Ralston,	12
		Mr. Shamp,	
	8	Mr. Small,	
	9	Mr. Stark,	
		Mr. Sterns,	13
		Mr. Stewart,	
		Mr. Virden,	
		Mr. Wasson,	14
		Mr. Youngs,	15
		[Mr President]	
		Mr. North.	16
			9
		Nay	16.

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Mr Rulston moved to recon=
sider the vote just taken
Agreed to
Mr Hopson moved to recommit
the article as amend a third
time to the Standing Committee
on Printing with instructions
to strike out ~~the~~ section One.
and ~~report~~ report the article
forthwith
back with the following
substitute viz

STATE PRINTER.

SECTION 1 **A State Printer** shall be elected at the time and places, and in the same manner as the Governor, who shall hold his office for the term of two years. He shall do all the public printing for the State which may be provided by law The rates to be paid him for such printing shall be fixed by the Legislature,

Agreed to Ayes 10 Nays 5

Mr Kinkead from the standing Committee on Printing submitted the following report

Mr President

The Standing Committee on Printing to which was ~~refer~~ re-committed the Article Entitled "State Printing ~~as to Duties~~ as engrossed with instructions to ~~Amend~~ report the following substitute therefor viz

"ARTICLE

STATE PRINTER.

SECTION 1. A State Printer shall be elected at the time and places, and in the same manner as the Governor, who shall hold his office for the term of two years. He shall do all the public printing for the State which may be provided by law. The rates to be paid him for such printing shall be fixed by the Legislature, "

Respectfully report the article back to the Convention in accordance with the instructions of your Committee.

J. H. Kinkead Chm"

On motion by a 2/3 vote the Rules were suspended. the article considered engrossed and read a third time ~~forthwith~~ immediately.

On calling the Roll the said Article was lost by the following vote

YEA.		NAY.
	Mr Alban,	
	Mr Ball,	
	Mr Bechtel,	1
	Mr. Brosnan,	
	Mr Bryan,	
1.	Mr. Chapin,	
	Mr. Collins	
	Mr. Conner,	2
	Mr Covey,	
	Mr. Dorsey,	
	Mr. Ent	3
2	Mr. Ep'er,	
	Mr Gibson,	4
	Mr Haines,	5
	Mr. Harrison,	
	Mr Hickok,	6
	Mr Hite,	7
	Mr Hudson,	
	Mr Ing,	8
	Mr. Johnson,	
	Mr. Kennedy,	9
3	Mr Kinkead,	
4	Mr Larmowe,	
	Mr McClure,	
5	Mr Mitchell,	
6	Mr. Nightingill,	
	Mr. Noteware,	
7	Mr. Plunkett,	
	Mr. Potter,	
	Mr Ralston,	10
	Mr. Shamp,	
	Mr Small,	11
	Mr. Stark,	12
8	Mr. Sterns,	
	Mr. Stewart,	
	Mr. Virden,	
~~9~~	Mr. Wasson,	15
	Mr. Youngs,	13
	[Mr President]	
	Mr. North.	14
	affir ~~15~~ 8	
	Neg ~~8~~. 15.	

Mr Ch. Ke wd move of the Mc the vo for the Mr Mc Kable Mr. Kashy dys o

Mr La Convent Whole o

The Conv Whole. M and Art. the Comm ted it

ice that future time nation ew d that ideiph

red to lay on the 10. May 10 indefinite nd Kenne nadie.

that the mittee of the titled "Milita

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On a
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lay th
th... the
last
vote

Mr Hakon gave notice that he would at some future time move a reconsideration of the vote just taken

Mr Kennedy moved that the vote be reconsidered forthwith.

Mr Larrowe moved to lay Mr Kennedy's motion on the table Negatived Ayes 10. Nays 10

Mr Kite moved the indefinite postponement of Mr Kennedy's motion to reconsider.

Agreed to.

Mr Larrowe moved that the Convention go into Committee of the Whole on the article entitled "Militia"

Agreed to

The Convention in Committee of the Whole - Mr Kite in the chair considered said Article. In time the Committee rose & Mr Kite reported that

~~By Freedom~~ The Committee of the Whole have had under consideration the Article Entitled Militia, have gone ~~through them into~~, have made some amendments thereto and directed ~~them~~ their Chairman to report the Article back to the Convention & recommends its adoption.

The Report was agreed to. and on motion of Mr Larrowe, the Article was read a second time by Title, & ordered Engrossed for a third Reading ~~On motion~~

On motion of Mr Larrowe. at 3 45. the Convention took a recess till 7 o'clock P M.

I adjourn
The President pro tem Mr Rulon
in the Chair.

Mr North announced the
death of his colleague Hon
C S Potter which occurred
this afternoon about 2 o'clock
pm at his residence.

North Com
of 5 off Res
& purport of
Sentiment of
Condolence
at the loss of
Hon C S Potter,

North
Brown
Stuart
Kinkead
Ent.

He offered the following
Resolution,

Resolved that a
committee of five be ap
pointed to draft a series
of Resolutions expressive of
the sentiments of this Conven
tion at the loss of the Hon
Chas S Potter.

Adopted

The President announced Messrs. North, Brown, Stuart, Kinkead and Ent.

The said Committee retired & soon thereafter ~~submitted the following~~ Mr North submitted as the Report of the said Committee ~~as~~ the following Preamble & Resolutions

Whereas it has pleased an All Wise Providence to remove from this life, the Hon. Charles S. Potter a Member of this Convention,

Resolved

That in the death of the Hon. C. S. Potter, we recognize a great loss to this Convention as well as to the State of Nevada,

Resolved

That Judge Potter had deserved and obtained a high and honorable position among all persons acquainted with his private life and unblemished character -

Resolved -

That in all the avocations of life he proved himself, the true Patriot, the upright judge, the Conscientious Citizen, the honest Man -

Resolved

That the Members of this Convention deeply and sincerely sympathize with the family and friends of the deceased - and in their expression of Sympathy and Condolence declare that the name of our departed friend deserves a place in our hearts and Memories -

J. Ross Norton
Chairman of
Com.

Mr Lavrale moved that the Report of the Committee be accepted. and the Resolutions adopted.

The Resolutions were unanimously adopted.

Mr Young moved that the Secretary be instructed to transmit the widow of the deceased a copy of the proceedings of the Convention had this Evening

adopted

Mr Brosnan. moved that out of respect for the deceased Delegate C S Potter the Resolutions be published and further that the Convention do now adjourn.

Agreed to.

The Convention then adjourned till 10 o'clock A M tomorrow.

shall become a part of the constitution

Twenty fourth Day
Wednesday Dec. 2nd 1863

The Convention met at 10 oclock
pursuant to adjournment
Prayer by the Chaplain
On calling the Roll the following Delegates were present and the following were absent

1 Mr. Alban,
Mr. Ball,
2 Mr. Beehtel,
24 Mr Brosnan,
23 Mr. Bryan,
3 Mr Chapin,
Mr. Collins,
4 Mr. Conner,
Mr. Corey,
Mr Dorsey,
5 Mr Ent,
6 Mr. Epler,
7 Mr Gibson,
8 Mr. Haines,
~~Mr Harrison,~~
9 Mr Hickok,
10 Mr. Hite,
11 Mr. Hudson,
Mr Ing,
Mr. Johnson,
12 Mr Kennedy,
13 Mr. Kinkead,
14 Mr. Larrowe,
15 Mr. McClure,
Mr. Mitchell,
16 Mr. Nightingill,
Mr Noteware,
Mr Plunkett,
~~Mr. Potter,~~
17 Mr. Ralston,
Mr. Shamp,
18 Mr. Small,
19 Mr. Stark,
20 Mr. Sterns,
Mr. Stewart,
Mr. Virden,
21 Mr. Wasson,
22 Mr. Youngs,
23 Mr President, [Mr. North,]

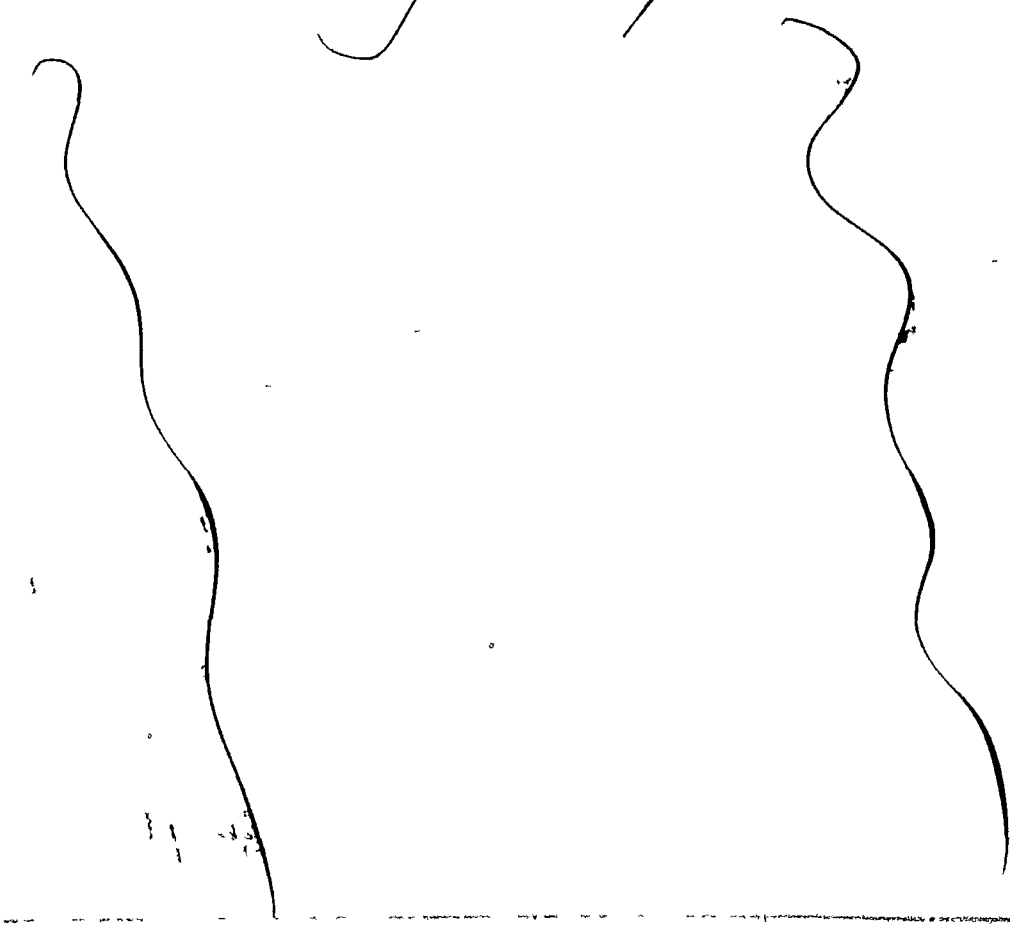
Present 24
Absent 13.

Twenty (illegible)
Wednesday (illegible) 1863

The Convention (illegible) o'clock (illegible)
at (illegible) pursuant (illegible)
Bryant (illegible)
An (illegible) the following
roll (illegible) and the
Delegates (illegible) following
present (illegible) are absent

The Journal of yesterday was read and approved.

Mr Lanman from the standing Committee on Phraseology submitted the following report



To the President of the Convention

The undersigned - the committee on Phraseology, &c, beg leave to make a partial Report -

They have compared the engrossed articles on [illegible] Education

2d Bill of Rights &

4th Right of Suffrage, with the original and find them correctly engrossed -

They would recommend the insertion of the word "of" before the word "the" in the fifth line of the 8th sec - of ~~the Bill of Rights~~

Also in 3rd line of sec 12 of Bill of Rights - strike out the word "keeping" - & insert "maintaining"

Also in the 2nd line of the 3rd section of the Article on Education, strike out "Lands containing ~~coal~~ ~~ores~~", & insert ~~them~~ "such as contain" ~~coal ores~~

Also, in the 9th line of sec 5 of said Article, strike out "with a mining department"

Also in 2nd line of sec. 7 of sd. Article insert after the word altered - the word "accruing"

All of which is respectfully submitted

C. W. Bryan Chairman

Jennings
Ed Rights
& C Clerk Rm

Mr Lamar moved that the 2nd Reading of Engrossed Articles ~~be~~ made the Special order for 2 oclock ~~this~~ this afternoon.

Agreed to.

Mr Lamar from the Standing Committee on Miscellaneous Business submitted the following Report.

Mr President

Your committee on Miscellaneous Business respectfully submitt the following article.

Article

Miscellaneous Provisions

Sec 1.— The Seat of Government shall be at Carson City.

Sec 2.—

Members of the Legislature and all officers Executive ~~and~~ (ministerial Judicial) ~~except such inferior officers as may be by law~~ shall before they enter upon the duties of their ~~office~~ respective offices take and subscribe the following oath or affirmation

I ~~do~~ do solemnly swear (or affirm) ~~that~~ I will support protect and defend the Constitution and Government of the United States and the Constitution and Government of the State of Nevada against all enemies whether domestic or foreign and that I will bear true faith allegiance and loyalty to the same any ordinance ~~resolution~~ or law of any State Convention or legislature to the contrary notwithstanding and further that I do this with a full determination pledge and purpose without any mental reservation or evasion whatsoever ; and further that I will well and faithfully perform all the duties of the office of

on which I am about to enter ~~—~~ so help me God.

Sec 3 p 86 person shall be eligible to any office, who is not a qualified elector.

Section 4. Any amendment or amendments to this constitution may be proposed in the Senate or Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals with the ayes and noes taken thereon and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if in the Legislature next chosen as aforesaid such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people in such manner and at such time as the Legislature shall prescribe; and if a majority the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall become a part of the Constitution

Section 3. And if, at any time, two thirds of the Senate and Assembly, shall think it necessary to revise and change this entire constitution, they shall recommend to the electors, at the next election for members of the legislature to vote for or against the convention; and if it shall appear that a majority of the electors voting at such election have voted in favor of calling a convention, the legislature shall at its next session provide by law for calling a convention, to be holden within six months after the passage of such law; and such convention shall consist of a number of members not less than that of both branches of the legislature

W. H. Hobbs

P. H. Bryan

The report was accepted and ordered printed.

Mr Bryan from the Standing Committee submitted the following Report viz.

Mr President

The Standing Committee on Rules respectfully submit the following additional rule & recommend its adoption viz

Rule—

When a motion or Resolution or proposition or Report may be under consideration a Note thereof motion or Resolution, shall lie over for one day for consideration unless by the power of the House by the Mover —

C. W. Bryan
Chairman

Mr Larrowe moved that the Report be accepted and laid on the table

agreed to

Mr Young moved that the Convention do now go into Committee of the Whole on the article entitled "Impeachment" agreed to.

the Convention in Committee of the Whole. Pending the question on the clause considered said article.

In time ~~Pending the motion~~ the Committee rose & Mr Pitt reported that

The Committee of the Whole had had under consideration the article entitled Impeachment, had gone through thereon & had made some amendments thereto and directed their Chairman to report the ~~same~~ article ~~first~~ to the Convention ▽ recommend its adoption

The report was accepted Mr Sanford moved that the said Article as reported from the Committee of the whole, be read a second time. as follows viz

~~REPORT OF THE STANDING COMMITTEE ON THE DRAFT DRAFT~~

ARTICLE

IMPEACHMENT AND REMOVAL FROM OFFICE

SEC. 1. The Assembly shall have the sole power of impeaching but a majority of all the members elected must concur in an impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose the Senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the Senators elected.

SEC. 2. The Governor and other civil officers under this State Government shall be liable to impeachment for any misdemeanor or malfeasance in office but judgment in such cases shall not extend further than to removal from office and disqualification to hold any office of honor, profit or trust under this State. The party whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment and punishment according to law.

SEC. 3. For any reasonable cause to be entered on the journals of each house, which may or may not be sufficient grounds for impeachment, the Chief Justice and Associate Justices of the Supreme Court and Judges of the District Courts and County Courts shall be removed from office on the vote of two-thirds of the members elected to each branch of the Legislature and the Justice or Judge complained of, shall be served with a copy of the complaint against him and shall have an opportunity of being heard in person or by counsel in his defense. *Provided* that no member of either branch of the Legislature shall be eligable to fill the vacancy occasioned by such removal.

SEC. 4. Provision may be made by law for the removal from office of ~~when~~ any civil officer for malfeasance or nonfeasance in the performance of their duties.

Mr Brannum moved to amend the 3rd Sec. 2nd line by striking out the word "or" between the words "District" and "County" & inserting in lieu thereof the word "and"

Agreed to.

Mr Plunkett moved to amend the 2nd Section by striking out the word "their" next to the last word "duties" & inserting in lieu thereof the word "his".

Agreed to.

And the Article Entitled Impeachment & Removal from office was adopted & Engrossed for a third reading.

Mr Larrove ~~called~~ moved that the Convention do now proceed to consider the Resolution offered by Mr Sterns Nov 3d 1863

Agreed to.

The Resolution was then read as follows to wit

Resolved. That this Convention appoint a Committee of persons whose duty it shall be, at the time when the question of the admission of the State of Nevada is pending before Congress, to memorialize that body, to give the exclusive right to the soil, as well as the mines, and eminent domain of all the unappropriated lands within the boundaries of this Territory as shall be hereafter established to the State of Nevada. And they shall further use every means within their power, by reason and argument, to induce the United States to acknowledge the vested right of the State of Nevada thereto, and to place her upon an equal footing with the original States in every respect whatsoever, as well in fact as in name—to the end that they may tax all property found within her domains, not prohibited by Federal law.

Mr Lamure moved to strike out the last sentence commencing on the 6th line.

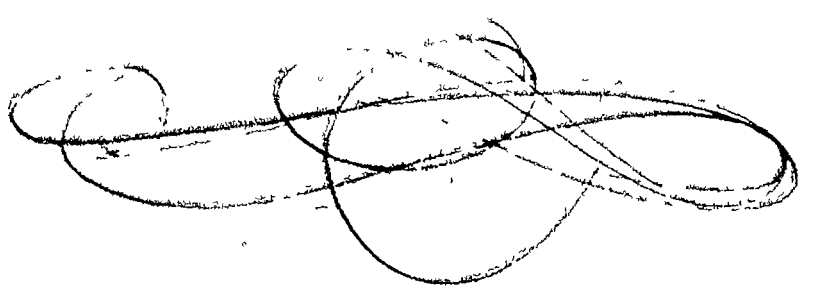
Agreed to.

Mr Braman moved that the matter be indefinitely postponed.

Agreed to.

Mr Abbe moved that the Convention do now take a recess ~~till~~ ~~P.M.~~ agreed to.

At two o'clock the Convention took recess till



The Convention resumed the consideration of the Special Order of the Day, to wit the motion to recommit the article entitled "Municipal & other Corporations" with instructions to ~~re~~ amend section 9. thereof by adding the following proviso's offered in convention on the 7th Inst. as follows ~~to wit.~~

By Mr Kinkead of Nye

"Provided the Legislature may use the credit of the state to an amount not exceeding "three millions of Dollars" to aid in the construction of a Railroad connecting this State with the Pacific coast.

And the substitute thereto offered by Mr Hite of Nye.

"Provided that the State may issue bonds to an amount not exceeding "three millions Dollars on such terms as the Legislature may prescribe, to the Rail Road that will be first completed to the state line, connecting this

State with the navigable waters of California, but no possession or future bonds shall be effective unless authorized by a vote of the people"

Reading the question. Mr Brannan rose and stated that he had just learned that the remains of the late Hon Chas S Potter Delegate from Washoe County, had arrived in the city, and out of respect for the deceased.

He moved that the Convention do now adjourn till 10 O'clock A.M tomorrow.

Agreed to

at 2 O'clock the Convention then adjourned till 10 O' Clock A.M tomorrow

Twenty fifth Day.
Thursday Dec 2nd 1880

The Convention met at 10 Oclock
A M pursuant to adjournment
Prayer by the Chaplain.
On calling the Roll the fol
lowing Delegates were
present.

And the fol
lowing
absent

1 Mr. Alban,
Mr. Ball,
Mr. Bechtel,
2 Mr Brosnan,
Mr. Bryan,
3 Mr Chapin,
Mr Collins,
4 Mr Conner,
Mr. Corey,
Mr Dorsey,
5 Mr Ent,
6 Mr Epler,
7 Mr Gibson,
Mr Haines,
~~Mr. Harrison,~~
8 Mr Hickok,
9 Mr Hite,
10 Mr Hudson.
11 Mr Ing,
Mr. Johnson,
12 Mr. Kennedy,
13 Mr. Kinkead,
14 Mr Larrowe,
15 Mr. McClure,
Mr Mitchell,
Mr Nightingill,
16 Mr. Noteware,
17 Mr. Plunkett,
~~Mr. Potter,~~
18 Mr. Ralston,
Mr. Shamp,
19 Mr. Small,
20 Mr. Stark,
Mr. Sterns,
Mr. Stewart,
21 Mr. Virden,
22 Mr. Wasson,
23 Mr. Youngs,
Mr. President, [Mr. North,]

The Journal was read

Mr La
Rue asking
Leave
to

today
read.

on the
phrase
to the

Twenty [illegible]
Thursday

[illegible] 59

The Comm[illegible] 10 o'clock
A M pur[illegible] ummens
Prayer b[illegible] ein.
On ca[illegible] the Roll
lowing D[illegible]
present.

[illegible] the Roll
[illegible]wing
[illegible]sents

The Journal of yesterday
was read and approved.

Mr Lorraine from the
Standing Committee on Phrase
ology submitted the
following report

To the President of the Convention —

The undersigned committee on Phraseology, &c, beg leave to make a partial Report —

They have compared the ~~Article~~ engrossed articles on

(1) Impeachment & Removal from office
(2) Judicial Department
(3) Executive Department

Also, The Preamble — with the originals — & find them correctly engrossed, except as hereafter stated —

In the fifth line of sec 9 of Article on Executive Department, the words —

"The Term of office of each shall be the same, as is prescribed for the Governor" as omitted in the engrossed article — The committee would recommend the insertion of those omitted words —

They would further recommend to the convention to strike out the word "Territory" in the 1st line of the preamble, & insert in lieu thereof the word "State" — also to strike out "By the name of the State of Nevada" in the 7th & 8th lines of said Article —

M. D. Larrowe
Wm Virden

the Report of the Committee and Committee was agreed to. and the amendment concurred in.

Mr Young moved that the 2nd Reading of Articles Engrossed be made the Special Order for 1 o'clock pm this day.

Agreed to

Mr Larrave moved that the consideration of the motion to recommit the article Entitled Municipal & other corporations & municipalities & amendments to Sec 9 thereof be resumed.

Agreed to.

The question pending at the time this matter was last before the Convention was on the adoption of the substitute proposed offered by Mr Hite on the 1st inst for that offered by Mr Kinkead as an amendment to Sec 9.

Mr Kinkead accepted the substitute proposed by Mr Hite as follows

"provided that the State may issue bonds to an amount not exceeding three millions

dollars on such terms as the Legislature may prescribe to the Railroad that will be first completed to the State line, connecting this State with the navigable waters of California. but no appropriation of said bonds shall be effective unless authorized by a vote of the People."

Mr Kennedy moved to amend the proposed substitute by adding thereto the following. viz.

"and further that the Legislature may deny a tax not exceeding one mill on the dollar. of all taxable property in the State as a special fund for the promotion of Internal Improvements".

negatived.

Mr Chapin moved to amend the proposed offered by Mr Kenny after the word California in the line the following words. viz

" or with the navigable waters of the Mississippi River

On calling the Roll the amendment offered by Mr Chapin was agreed to by the following vote

	NAY.
Mr. Alban,	
Mr Ball,	
Mr. Fechtel,	
Mr. Frosman,	
Mr. Bryan,	
Mr. Chapin,	
Mr. Collins	
Mr. Conner,	1
Mr. Co ey,	
Mr. Dorsey,	
Mr. Ent	2
Mr. Ep'er,	3
Mr Gibson,	5
Mr Haines,	
Mr. Harrison,	
Mr Hickok,	6
Mr. Hite,	7
Mr. Hudson,	8
Mr. Ing,	4
Mr Johnson,	
Mr. Kennedy,	9
Mr. Kinkead,	10
Mr Larrowe,	11
Mr McClure,	12
Mr. Mitchell,	
Mr. Nightingill,	5
Mr. Noteware,	6
Mr Plunkett,	13
Mr. Potter,	
Mr Ralston,	7
Mr Shamp,	8
Mr. Small,	9
Mr. Stark,	14
Mr. Sterns,	16
Mr. Stewart,	
Mr. Virden,	15
Mr. Wasson,	16
Mr. Youngs,	
[Mr President:]	
Mr. North	11

a 16
Nay 11

Mr. Chapin,	
Mr Collins	
Mr Conner,	11
Mr. Co ey,	
Mr Dorsey,	
Mr. Ent	2
Mr. Ep'er,	5
Mr Gibson,	3
Mr Haines,	
Mr. Harrison,	
Mr. Hickok,	6
Mr. Hite,	7
Mr. Hudson,	8
Mr. Ing,	4
Mr. Johnson,	
Mr. Kennedy,	9
Mr. Kinkead	10

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On motion offered the following as a substitute for Amdts pending.

Provided ~~that~~ the Legislature may provide for levying ~~a~~ annual Special ~~annual~~ tax not exceeding one per cent on the taxable property of this State for the purpose of aiding the Rail Road which shall be first completed to the State line connecting this state with the navigable waters of California; which tax may continue until the aggregate amount shall reach the sum of two millions of dollars: The Money so raised ~~said money~~ shall be expended on the ~~said~~ Road within the limits of this state but no such tax shall be collected unless authorised by a vote of the people.

On calling the Roll the substitute offered by Mr Waterman was negatived by the following vote.

Mr. Alban,	
Mr. Ball,	
Mr. Bechtel,	2
Mr. Brosnan,	1
Mr. Bryan,	
Mr. Chapin,	3
Mr. Collins	
Mr. Conner,	4
Mr. Co_ey,	
Mr. Dorsey,	
Mr. Ent	2
Mr. Ep'er,	5
Mr. Gibson,	
Mr. Haines,	
Mr. Harrison,	
Mr. Hickok,	6
Mr. Hite,	7
Mr. Hudson,	8
Mr. Ing,	1
Mr. Johnson,	
Mr. Kennedy,	9
Mr. Kinkead,	10

Mr. Nightingill,

Mr. Noteware,

Mr. Plunkett,

Mr. Potter,

Mr. Ralston,

Mr. Shamp,

Mr. Small,

Mr. Stark,

Mr. Sterns,

Mr. Stewart,

Mr. Virden,

Mr. Wasson,

Mr. Youngs,

[Mr. President.]

Mr. North.

The question recurring on the adoption of Mr ~~Kinkead's~~ Oates's names as amended by Mr Kinkead. The same was adopted by the following vote.

M.	Mr Alban,	NAY.
	Mr Ball,	
2	Mr. Bechtel,	
3	Mr. Brosnan,	
	Mr. Bryan,	
4	Mr. Chapin,	
	Mr. Collins	
	Mr. Conner,	
	Mr. Co cy,	
	Mr. Dorsey,	
	Mr. Est.	
	Mr. Ep'er,	2
	Mr Gibson,	3
	Mr. Haines,	
	~~Mr. Harriman,~~	
6	~~Mr. Hicko~~	
7	Mr. Hite,	
8	Mr. Hudson,	
	Mr. Ing,	5
	Mr. Johnson,	
9	Mr. Kennedy,	
10	Mr. Kinkead,	
11	Mr. Larrowe,	
12	Mr. McClure,	
	Mr. Mitchell,	
	Mr. Nightingill,	6
	Mr Noteware,	7
13	Mr Plunkett,	
	~~Mr. Potter,~~	
14	Mr. Ralston,	
	Mr. Shamp,	8
	Mr. Small,	9
15	Mr. Stark,	
	Mr. Sterns,	10
	Mr. Stewart,	11
16	Mr. Virden,	
17	Mr. Wasson,	
	Mr. Youngs,	4
	[Mr President:]	
	Mr. North.	12.
	a	7
	ney	12.

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~~Mr Cook~~
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Mr Chapin moved to ~~instruct~~
amend the instructions to
the Committee by adding
to the proviso just adopted.
the words.

"Also provided that
no donation or loan of Credit
other than that herein before
provided for shall be made
without a two thirds vote
of the Legislature. Nor a vote
of the People!"

On calling the Roll the
motion of Mr Chapin was
negatived by the following
vote.

Mr Alban,	NAY
Mr Ball,	
Mr Fechtel,	1
Mr Grosman,	2
Mr Bryan,	
Mr. Chapin,	1
Mr. Collins,	
Mr. Conner,	3
Mr. Co.ey,	
Mr Dorsey,	
Mr. Ent.	4
Mr Ep'er,	5
Mr Gibson,	6
Mr. Haines	
~~Mr. Harrison,~~	
Mr. Hickok,	7
Mr Hite,	8
Mr. Hudson,	9
Mr. Ing,	10
Mr. Johnson,	
Mr Kennedy,	2
Mr. Kinkead,	3
Mr Larrowe,	11
Mr. McClure,	12
Mr. Mitchell,	
Mr. Nightingill,	13
Mr. Noteware,	14

	Mr. Alban,	NAY.
	Mr Ball,	
	Mr. Bechtel,	1
	Mr Broshan,	2
	Mr Bryan,	
	Mr. Chapin,	
	Mr Collins	
	Mr Conner,	3
	Mr. Covey,	
	Mr. Dorsey,	
	Mr. Ent.	4
	Mr. Ep'er,	5
	Mr Gibson,	6
	Mr. Haines,	
	~~Mr. Harrison,~~	
	Mr. Hickok,	7
	Mr. Hite,	8
	Mr. Hudson,	9
	Mr. Ing,	10
	Mr Johnson,	
2	Mr. Kennedy,	
3	Mr. Kinkead,	
	Mr. Larrowe,	11
	Mr. McClure,	12
	Mr. Mitchell,	
	Mr. Nightingill,	13
	Mr. Noteware,	14
	Mr Plunkett,	15
	~~Mr. Potter,~~	
	Mr. Ralston,	16
	Mr. Shamp,	17
	Mr. Small,	18
	Mr. Stark,	19
4	Mr. Sterns,	
	Mr. Stewart,	
	Mr. Virden,	20
	Mr. Wasson,	21
	Mr. Youngs,	22
	[Mr. President:]	
	Mr. North.	23

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23

Mr Plunkett moved ~~to amend~~ further instruct the Committee to amend ~~the~~ the 9th Section ~~by striking~~ by inserting between the words "not" and "subscribe" the words ~~and~~ "donate or loan money or its credit".

On calling the Roll the motion prevailed by the following vote.

YEA	NAY
Mr. Albau,	
Mr. Ball,	
Mr. Beechtel,	
Mr Brosnan,	
Mr Bryan,	
Mr Chapin,	
Mr Collins	
Mr Conner,	
Mr. Co ey,	
Mr. Dorsey,	
Mr. Eut	
Mr. Ep'ei,	
Mr Gibson,	
Mr. Haines	
~~Mr. Harrison,~~	
Mr Hickok,	
Mr. Hite,	
Mr. Hudson,	
Mr. Ing,	
Mr Johnson,	
Mr. Kennedy,	
Mr. Kinkead,	
Mr. Larrowe,	
Mr. McClure,	
Mr. Mitchell,	
Mr. Nightingill,	
Mr. Noteware,	
Mr Plunkett,	
~~Mr. Potter,~~	
Mr Ralston,	
Mr. Shamp,	
Mr. Small,	
Mr. Stark,	
Mr. Sterns,	
Mr. Stewart,	
Mr. Virden,	
Mr. Wasson,	
Mr. Young,	
[Mr. President]	
Mr. North.	
23	
4	

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- its

Call
D Ley

The resolution to recommit
with the instructions ~~agreed~~ to ~~amend~~ the Com
mittee to amend Sec 9. as
agreed to. then prevailed.
and the article was
recommitted.

Mr Hale from the Standing Com
mittee on Corporations, submitted
~~the~~ the following report

Mr President

The Standing Committee on Corporations to which was referred the article Entitled "Municipal and other Corporations" with instructions to amend Sec 9 thereof ~~by adding thereto the~~ as follows ~~passing~~ ing

Sec 9 The State shall not donate or loan money or its credit, subscribe to, or be interested in the stock of any company association or corporation ~~,~~ provided that the state may issue Bonds to an amount not exceeding three millions Dollars, on such terms as the Legislature may prescribe to the railroad that shall be first completed to the state line, connecting this state with the navigable waters of California, or with the navigable waters of the Mississippi River but no preparation to issue bonds shall be effective unless authorized by a vote of the People.

Respectfully report the article back to the Convention amended in accordance with the instructions of your committee

L Hill
F. L. Swift
E. C. Ing

The Report was accepted

mit the article back to the Committee on Corporations with instructions to amend Sec. 2 of ~~said Act~~ the same by striking out the first words in the Section as follows.

All real property and possessory rights to the same, as well as personal property in this State, belonging to corporations, now existing, or hereafter created, shall be subject to taxation the same as property of individuals, *provided* that

Mr Kite moved to indefinitely postpone Mr Conner's motion.

agreed to.

Mr Lamar moved that ~~the~~ Sec 9. of the article be recommitted to the Committee on Corporations with instructions to amend the same by inserting after the word "Corporation" where it first occurs therein the words "Except corporations formed for Educational or charitable purposes"

agreed to.

And the Sec was again recommitted.

[illegible] for Corporations submitted the following report.

Mr President

The Standing Committee on Corporations to which was recommitted the article entitled "Municipal and other Corporations" with instructions to amend Sec 9 thereof by inserting therein after the word "Corporations", the words "except Corporations formed for Educational and Charitable purposes."

Respectfully report the article back with the amendment incorporated therein in accordance with the ~~resolution~~ instructions of the Convention.

L Kite
Chairman
C D Long

The report was accepted.

Mr Larrowe moved that the article as amended be read a third time by title

Agreed to.

~~xxxx

Sec 4 Corporations created by or under the laws of Nevada, Foreign shall be subject to the provisions of such laws, until the Legislature shall pass laws regulating the same in pursuance of the provisions of this Constitution.

1 Sec. 5 All corporations ~~shall have the right to~~ may sue and be ~~subject to be~~ sued in all

2 courts, in like cases as individuals

Sec 6. No Bank notes or paper money of any kind shall ever be permitted to circulate as money in this State except the Federal Currency under the Laws of Congress.

1 Sec. 7 No right of way shall be appropriated to the use of any corporation until full ✓

2 compensation be first made therefor.

1 Sec. 8 The Legislature shall provide for the organization of cities and incorporated

2 villages by general laws; and restrict their power of taxation assessment, borrowing ✓

3 money contracting debts, and loaning their credit ~~so as to prevent the abuse of such~~

4 ~~power~~ donate or loan money or its credit

1 Sec 9 The State shall not subscribe to, or be interested in, the stock of any company

2 association or corporation except corporations formed

for Educational ~~purposes~~ or charitable purposes, provided that the State may issue Bonds in an amount not exceeding three million dollars on such terms as the Legislature may prescribe to the Rail=

road thus made be [illegible] pleted to the state line. com mencing at the south mouth the navigable waters of said Pascagoula River, but no law to issue bonds shall be effective unless sanctioned by a vote of the people.

1 Sec. 90 No county, city, town, or other municipal corporation, shall become a stock-
2 holder in any joint stock company, corporation, or association whatever, ~~or pledge its credit~~ ✓
3 ~~for~~ or loan its credit ~~to~~ in aid of any such company corporation or association.

This article having had three several readings was on calling the roll finally adopted by the following vote.

YEA.	NAY.
Mr Alban,	
Mr Ball,	
1 Mr Fechtel,	
2 Mr Frosman,	
Mr. Bryan,	
3 Mr. Chapin,	
Mr. Collins	
4 Mr. Conner,	
Mr. Co. ey,	
Mr. Dorsey,	
5 Mr. Ent	
6 Mr. Ep'er,	
7 Mr Gibson,	
Mr. Haines,	
~~Mr. Harrison,~~	
8 Mr. Hickok,	
9 Mr. Hite,	
10 Mr. Hudson,	
11 Mr Ing,	
Mr. Johnson,	
12 Mr. Kennedy,	
13 Mr. Kinkead,	
14 Mr. Larrowe,	
15 Mr. McClure,	
Mr. Mitchell,	
16 Mr. Nightingill,	
Mr. Noteware,	1
17 Mr. Plunkett,	
~~Mr Potter,~~	
18 Mr. Ralston,	
19 Mr. Shamp,	
Mr. Small,	2
20 Mr. Stark,	
Mr. Sterns,	3
Mr. Stewart,	4
21 Mr. Virden,	
22 Mr. Wasson,	
~~23~~ Mr. Youngs,	5
[Mr. President:]	
23 Mr. North.	
23	5

Adopted on the Special Order. the 3rd Reading of Engrossed articles was Entered upon.

the ~~Territory~~ State of Nevada

We, the people of ~~California~~, grateful to Almighty God for our freedom, in order to secure its blessings, ~~do establish this Constitution~~ Ensure domestic tranquility, and form a more perfect Government; ~~the Constitution of the State of Nevada~~ do establish this Constitution ~~ARTICLE I~~

Article

DECLARATION OF RIGHTS.

SEC. 1. All men are by nature free and ~~independent~~ Equal, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety and happiness.

SEC. 2. All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people; and they have a right to alter or reform the same whenever the public good may require it.

3 "But the paramount allegiance of every citizen is due to the Federal Government. ~~In the~~
4 ~~exercise of all authority conferred by the Constitution of the United States~~, and no power
5 exists in the people of this, or any other State of the Federal Union, to dissolve their con-
6 nection therewith, ~~except by consent of the people of all the States of the Union,~~ or per-
7 form any act tending to impair, subvert or resist the supreme authority of the Government
8 of the United States. The Constitution of the United States confers full power on the
9 Federal Government to maintain and perpetuate its existence, and whensoever any portion
10 of the States or people thereof attempt to secede from the Federal Union, or forcibly
11 resist the execution of its laws, the Federal Government may, by warrant of the Consti-
12 tution, employ armed force in compelling obedience to its authority."

SEC. 3. The right of trial by jury shall be secured to all, and remain inviolate forever; but a jury trial may be waived by the parties, in all civil cases, in the manner to be prescribed by law. and if three fourths of the Jurors agree upon a verdict it shall stand & have the same force and effect as a verdict by the Whole Jury. provided the Legislature by a two third vote of each branch thereof may require a unanimous verdict notwithstanding this provision.

Sec 4 The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State, and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state

Sec. 5 The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require its suspension.

Sec 6. Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel or unusual punishments be inflicted, nor shall witnesses be unreasonably detained

Sec. 7 All persons shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident or the presumption great.

Sec 8 No person shall be held to answer for a capital or otherwise infamous crime (except in cases of impeachment, and in cases of militia when in actual service, and the land and naval forces in time of war, or which this state may keep, with the consent of Congress, in time of peace, and in cases of petit larceny under the regulation of the legislature), unless on presentment ~~or indictment~~ of a grand jury; and in any trial in any court whatever, the party accused shall be allowed to appear and defend in person and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offence, nor shall he be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation having been first made or secured except in case of war, or at fire, or great public peril in which case compensation shall be afterwards made

Sec 9. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions [redacted] for libels, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law and the fact

Sec. 10. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the legislature for redress of grievances

SEC. 12. The military shall be subordinate to the civil power: No standing army shall be ~~kept up~~ maintained by this State in time of peace; and in time of war no appropriation for a standing army shall be for a longer time than two years.

SEC. 13. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, except in the manner to be prescribed by law.

SEC. 14. Representation shall be apportioned according to population.

SEC. 16 No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts shall ever be passed.

SEC. 17. Foreigners who are, or who may hereafter become, *bona fide* residents of this State, shall enjoy the same rights, in respect to the possession, enjoyment, and inheritance of property, as native-born citizens.

SEC. 18. Neither slavery or involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.

Sec 19 The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated, and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized

Sec 20 Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. ~~No person shall be convicted of treason, unless on the evidence of two witnesses to the overt act, or confession in open court.~~

Sec 21 This enumeration of rights shall not be construed to impair or deny others retained by the people.

On the article having had three several readings was on calling the Roll finally adopted by the following vote.

M.	Mr. Alban,	NAY
	Mr Ball,	
2	Mr. Bechtel,	
3	Mr. Brosnan,	
	Mr Bryan,	
4	Mr. Chapin,	
	Mr. Collins	
5	Mr Conner,	
	Mr Co ey,	
	Mr Dorsey,	
	Mr Ep'er,	
7	Mr Gibson,	
	Mr. Haines,	
	~~Mr. Harrison,~~	
9	Mr. Hickok,	
10	Mr Hite,	
11	Mr Hudson,	
12	Mr. Ing,	
	Mr. Johnson,	
13	Mr Kennedy,	
14	Mr Kinkead,	
15	Mr. Larrowe,	
16	Mr. McClure,	
	Mr. Mitchell,	
17	Mr. Nightingill,	
	Mr Noteware,	
18	Mr. Plunkett,	
	~~Mr. Potter,~~	
19	Mr. Ralston,	
	Mr. Shamp,	
20	Mr. Small,	
21	Mr. Stark,	
	Mr. Sterns,	
	Mr. Stewart,	
22	Mr. Virden,	
23	Mr. Wasson,	
24	Mr. Youngs,	
	[Mr. President :]	
25	Mr. North.	

A 25
Neg —

Right of Suffrage

Sec 1. Every White male citizen of the United States, who having resided in this Commonwealth one year (previous to the time) of the age of twenty one years and upwards, and shall have resided in the State six months and the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now are or hereafter may be elective by the People. and upon all questions submitted to the electors at such Election

Sec 2. No person who has been convicted of treason or felony in any State or Territory of the United States unless restored to civil rights. and no person who, after arriving at the age of twenty one years, shall have voluntarily borne arms against the United States, or held civil or military office under the so called Confederate States or either of them, unless an amnesty by the general Assembly by the —

[illegible] shall be entitled to the privilege of voting

SEC. 3. For the purpose of voting, no person shall be deemed to have lost a residence by reason of his absence while employed in the service of the United States or of this State. Nor while a student in any seminary of learning, ~~nor while kept at any almshouse or asylum.~~ gained a residence

SEC. 4. No soldier in the Army of the United States shall be deemed a resident of this State in consequence of being stationed within this State.

SEC. 5. The right of suffrage shall be enjoyed by all persons otherwise entitled to the same who may be absent from this State in the military or naval service of the United States, *provided*, that the payment of a poll tax or a registration of such voter shall not be required as a condition to the right of voting.

Provision shall be made by law regulating the manner of voting, holding elections and making returns of such elections.

SEC. 6. During the day on which any general election shall be held in this State, no qualified elector shall be arrested by virtue of any civil process.

SEC. 7. All elections by the people shall be by ballot ~~Vote~~ all elections by the Legislature, or by Counties & the Votes of shall be viva voce.

SEC. 8. Provisions shall be made by law for the registration of the names of electors within the counties of which they may be residents and for the ascertainment by proper proofs of the persons who shall be entitled to the right of suffrage as hereby established.

SEC. 9. The Legislature ~~may furthermore~~ shall provide by law for the payment of ~~A~~ an Annual poll tax ~~not exceeding four~~ of not less than two dollars from each male person resident in the State, of the age of twenty one years or upwards, one half to be applied for state and one half for county purposes. No person shall be entitled to vote until such poll tax has been paid

SEC. 10. All *bona fide* residents of the Territory of Nevada at the time provided in this Constitution for the first election to be held under its provisions and who shall possess the other qualifications of electors herein provided—shall be entitled to vote for the election of all officers to be elected at such election and upon the question of adopting or rejecting this Constitution.

~~Mr Chamberlain~~ moved to recommit the article back to the ~~Comm~~ Standing Committee on the Right of Suffrage. with instructions to amend the same by striking out in the 9th section the word male so as to read as follows.

No person shall be entitled to vote until such poll tax has been paid.

~~Negatived~~

On calling the Roll the motion to recommit was agreed to by the following vote.

Y	Mr Alban,	NAY.
	Mr Ball,	
2	Mr Bechtel,	
3	Mr. Brosnan,	
	Mr. Bryan,	
	Mr. Chapin,	
	Mr. Collins	
4	Mr. Conner,	
	Mr Cooley,	
	Mr. Dorsey,	
	Mr. Ent.	2
5	Mr Ep'er,	
	Mr Gibson,	3
	Mr. Haines	
	~~Mr. Harrison,~~	
	Mr Hickok,	4
	~~Mr Hite,~~	5
	Mr. Hudson,	6
	Mr Ing,	7
	Mr Johnson,	
	Mr Kennedy,	8
	Mr. Kinkead,	9
6	Mr. Larrowe,	
	Mr. McClure,	10
	Mr. Mitchell,	
7	Mr. Nightingill,	
8	Mr. Noteware,	
9	Mr. Plunkett,	
	~~Mr. Potter,~~	
10	Mr Ralston,	
	Mr. Shamp,	
11	Mr. Small,	
12	Mr. Stark,	
13	Mr. Sterns,	
14	Mr. Stewart,	
15	Mr. Virden,	
16	Mr. Wasson,	
17	Mr. Youngs,	
1	[Mr President.]	
	Mr. North.	11
	Ayes 17	
	Nay 11	

Mr Kote moved that the ~~Committee~~ the said Committee on the Right of Suffrage be further instructed to add the following words to the resolution

(and the Legislature may at their discretion require such Equivalent as Education to the said qualification)

Agreed to ayes 17. nays 7.

Mr Kennedy moved to instruct the said Committee to amend the article by striking out in the 5th line of Section 2. the word "twenty one" and inserting in lieu thereof the word "eight een"

On calling the Roll the ~~question~~ motion prevailed by the following vote

1	Mr Alban,	NAY
	Mr Ball,	
2	Mr Bechtel,	
3	Mr Brosnan,	
	Mr Bryan,	
	Mr. Chapin,	
	Mr Collins,	
4	Mr Conner,	1
	Mr Co ey,	
	Mr. Dorsey,	
	Mr. Ent.	2
	Mr. Ep'er,	3
4	Mr Gibson,	
	Mr. Haines,	
	Mr. Harrison,	
5	Mr. Hickok,	
6	Mr. Hite,	
7	Mr. Hudson,	
8	Mr. Ing,	
	Mr Johnson,	
9	Mr. Kennedy,	
10	Mr. Kinkead,	
11	Mr. Larrowe,	
12	Mr. McClure,	
	Mr. Mitchell,	
	Mr. Nightingill,	4
	Mr. Noteware,	5
13	Mr. Plunkett,	
	Mr. Potter,	
14	Mr. Ralston,	
15	Mr. Shamp,	
16	Mr. Small,	
17	Mr. Stark,	
18	Mr. Sterns,	
	Mr. Stewart,	
19	Mr. Virden,	
	Mr. Wasson,	6

Mr. Hite moved that ~~the~~ the said Committee on the Right of Suffrage be further instructed to add the following words to the resolution

(And the Legislature may at their discretion make such Legislative a Condition to the exercise of voting)

Agreed to ayes 17. nays 7.

Mr. Kennedy moved to further instruct the said Committee to amend the article by striking out in the 5th line of Section 2. the word "twenty one" and inserting in lieu thereof the word "Eight"

Mr. Mitchell moved to amend the amendment by striking out the word "Eight" and inserting in lieu thereof the word "Twenty one"

12	Mr. McClure,	
	Mr. Mitchell,	
	Mr. Nightingill,	4
	Mr. Noteware,	5
13	Mr. Plunkett,	
	Mr. Potter,	
14	Mr. Ralston,	
15	Mr. Shamp,	
16	Mr. Small,	
17	Mr. Stark,	
18	Mr. Sterns,	
	Mr. Stewart,	
19	Mr. Virden,	
	Mr. Wasson,	6
20	Mr. Youngs,	
	[Mr. President.]	
	Mr. North.	7

Ayes 20
Nays 7.

Mr Ecker moved to amend the instruction to the Committee to further amend the article by striking out in the 11th line of the 2nd Section the words "Or disloyal."

On calling the Roll the motion to instruct was negatived by the following vote

		YEA.	NAY.
	Mr. Alban,		
	Mr Ball,		
	Mr. Bechtel,		/
2	Mr. Crosman,		
	Mr Bryan,		
3	Mr Chapin,		
	Mr Collins		
	Mr. Conner,		2
	Mr. Co ey,		
	Mr. Dorsey,		
4	Mr Ent.		
5	Mr. Ep'er,		
6	Mr Gibson,		
	Mr. Haines,		
	[redacted]		
	Mr. Hickok,		3
	Mr. Hite,		4
	Mr Hudson,		5
	Mr. Ing,		6
	Mr Johnson,		
	Mr. Kennedy,		7
	Mr Kinkead,		8
	Mr. Larrowe,		9
	Mr McClure,		10
	Mr Mitchell,		
	Mr. Nightingill,		11
7	Mr. Noteware,		
	Mr. Plunkett,		12
	[redacted]		
	Mr. Ralston,		13
	Mr. Shamp,		14
8	Mr. Small,		
	Mr. Stark,		15
9	Mr. Sterns,		
	Mr. Stewart,		
	Mr. Virden,		16
	Mr. Wasson,		17
	Mr. Youngs,		18
	[Mr. President]		
	Mr. North.		19
		9	19
		9	19

I fourth motion to 2 day words " between loyal"

the motion age- ative

One clause on suffrage

[redacted]

Mr. Chapin moved to further instruct the Committee to amend Sec 2. by inserting the words "shall be presumed to be" between the words "or" and "disloyal" as required

Mr. Malaton from the Standing Committee on Right of Suffrage submitted the following Report.

Mr President

The Standing Committee on Right of Suffrage. to which was committed the Article entitled The Right of Suffrage with instructions to amend the same by striking out the last clause of Sec. 9. the following words viz

"No person shall be entitled to vote until such poll tax has been paid" & inserting in lieu thereof the words "and the Legislature may at their discretion make such payment a condition to the right of voting."

And further to amend Sec. 2 by striking out the word "21." before "years of age" & inserting in lieu thereof the word "18"

Respectfully report the Article under amended in accordance with the instructions given your Committee.

L. H. Rulston
Pitts Chn

the Report was received.

Mr Lansdale moved to recom the Report to again refer it to the Standing Committee on Right of Suffrage with instructions to amend Sec 9 of Article ~~Article~~ Entitled ~~Right~~ of Suffrage by striking out the words "and the Legislature may at their discretion from make such payment a condition to the right of voting".

On calling the Roll the motion to recommit was negatived by the following vote

Y.	Mr. Alban,	N. Y.
	Mr Ball,	
2	Mr. Bechtel,	
	Mr. Bosman,	
	Mr. Bryan,	
	Mr. Chapin,	1
	Mr. Collins	
	Mr. Conner,	2
	Mr. Covey,	
	Mr. Dorsey,	
	Mr. Ent.	3
3	Mr. Epler,	
	Mr Gibson,	4
	Mr Haines,	
	~~Mr. Harrison,~~	
	Mr. Hickok,	5
	Mr Hite,	6
	Mr. Hudson,	7
	Mr Ing,	8
	Mr. Johnson,	
	Mr. Kennedy,	9
	Mr. Kinkead,	10
4	Mr Larrowe,	
	Mr. McClure,	11
	Mr. Mitchell,	
5	Mr. Nightingill,	
6	Mr. Noteware,	
7	Mr Plunkett,	
	~~Mr. Potter,~~	
	Mr. Ralston,	12
	Mr. Shamp,	13
	Mr. Small,	14
	Mr. Stark,	15
	Mr. Sterns,	16
	Mr. Stewart,	
	Mr. Virden,	17
8	Mr. Wasson,	
	Mr. Youngs,	18
	[Mr. President :]	
	Mr. North.	19
		20.

[redacted] Rep

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The Article as amended by re-
Committee ~~was on~~ having
had 3 several readings was
On calling the roll finally
adopted by the following
vote.

	YEA.	NAY.
	Mr. Alban,	
	Mr Ball,	
2	Mr Bechtel,	
3	Mr Brosnan,	
	Mr Bryan,	
4	Mr Chapin,	
	Mr Collins,	
5	Mr. Conner,	
	Mr. Cooley,	
	Mr. Dorsey,	
6	Mr. Ent	
	Mr. Epler,	1
7	Mr Gibson,	
	Mr. Haines,	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
9	Mr. Hite,	
10	Mr. Hudson,	
11	Mr. Ing,	
	Mr. Johnson,	
12	Mr. Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
	Mr. Mitchell,	
	Mr. Nightingill,	2
	Mr. Nolcamp,	3
16	Mr Pinkerton,	

Right of suf

13 Mr Kinkead,
14 Mr Larrowe,
15 Mr. McClure,
Mr. Mitchell,
Mr. Nightingill, 2
Mr. Noteware, 3
16 Mr Plunkett,
~~Mr Potter,~~
17 Mr Ralston,
18 Mr. Shamp,
19 Mr. Small,
20 Mr. Stark,
21 Mr. Sterns,
Mr. Stewart,
22 Mr. Virden,
23 Mr. Wasson,
24 Mr. Youngs,
[Mr President]
25 Mr. North.

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n 3

~~REPORT OF STANDING COMMITTEES AND INDEPENDENTS~~

ARTICLE

IMPEACHMENT AND REMOVAL FROM OFFICE

SEC 1 The Assembly shall have the sole power of impeaching, but a majority of all the members elected must concur in an impeachment All impeachments shall be tried by the Senate, and when sitting for that purpose the Senators shall be upon oath, or affirmation, to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the Senators elected

SEC 2. The Governor and other civil officers under this State Government shall be liable to impeachment for any misdemeanor or malfeasance in office, but judgment in such case shall not extend further than to removal from office and disqualification to hold any office of honor, profit or trust, under this State The party, whether convicted or acquitted, shall nevertheless be liable to indictment trial judgment, and punishment, according to law

SEC. 3. For any reasonable cause to be entered on the journals of each house, which may or may not be sufficient grounds for impeachment, the Chief Justice and Associate Justices of the Supreme Court and Judges of the District and County Courts shall be removed from office on the vote of two thirds of the members elected to each branch of the Legislature, and the Justice or Judge complained of, shall be served with a copy of the complaint against him and shall have an opportunity of being heard in person or by counsel in his defense. *Provided*, that no member of either branch of the Legislature shall be eligable to fill the vacancy occasioned by such removal

SEC. 4. Provision may be made by law for the removal from office of ~~other~~ any civil officer for malfeasance or nonfeasance in the performance of ~~their~~ his duties.

This article having had three several readings was on calling the Roll finally adopted by the following vote.

~~1~~	Mr Alban,	NAY.
	Mr Ball,	
2	Mr Bechtel,	
3	Mr Brosman,	
	Mr. Bryan,	
4	Mr. Chapin,	
	Mr. Collins,	
5	Mr Conner,	
	Mr Co ey,	
	Mr. Dorsey,	
6	Mr. Ent.	
7	Mr. Ep'er,	
8	Mr Gibson,	
	Mr. Haines.	
	Mr. Harrison,	
9	Mr. Hickok,	
10	Mr. Hite,	
11	Mr. Hudson,	
12	Mr. Ing,	
	Mr. Johnson,	
13	Mr. Kennedy,	
14	Mr. Kinkead,	
15	Mr. Larrowe,	
16	Mr McClure,	
	Mr. Mitchell,	
17	Mr. Nightingill,	
18	Mr. Noteware,	
19	Mr. Plunkett,	
	Mr. Potter,	
20	Mr. Ralston,	
21	Mr. Shamp,	
22	Mr. Small,	
23	Mr. Stark,	
24	Mr. Sterns,	
	Mr. Stewart,	
25	Mr. Virden,	
26	Mr. Wasson,	
27	Mr. Youngs,	
28	[Mr. President]	
	Mr. North.	

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ARTICLE

MILITIA

SEC. 1. All able bodied white male citizens of the United States except persons of unsound mind, who are or may hereafter become residents of this State, between the ages of eighteen and forty-five, shall be subject to military duty, and be enrolled in the militia of the State.

SEC. 2. The Legislature shall cause the State to be divided into Division, Brigade, Regimental and Company Districts, and shall make provision for furnishing arms, accoutrements and camp equipage to all military organizations formed under the laws of the State.

SEC. 3. It shall also pass such acts as shall best practically promote the organization of Volunteer Military Companies throughout the State, and the discipline and efficiency of the whole organized military force of the State.

SEC. 4. It shall provide for the holding of Camps of Instruction for the organized Volunteer Militia, to convene for not less than ten days at a time, at least once a year, by battalion, where practicable, and where not, by company for drill and discipline. And it shall provide reasonable compensation for such service.

SEC. 5. The Commander-in-Chief shall appoint a competent Board or Boards of military examination, who shall be sworn to perform their duties faithfully and who shall examine all applicants for Military Commissions, and no commission shall be issued to any person without the certificate of a majority of such Board that he has been duly examined and found competent to discharge the duties of the office for which he shall claim a commission.

SEC. 6. Judges of the Courts and Ministers of the Gospel shall be exempt from enrollment in the Militia, and the Legislature may for special reasons exempt other persons from the performance of military duty when danger to the State or Country does not require their services.

SEC. 7. Every person enrolled in the militia of this State, not a member of the organized militia nor exempt by law, shall pay a commutation for military service the amount and manner of collecting which shall be determined by the Legislature; and the Legislature shall cause the fund so accruing to be kept se-

ry expenses

SEC 8. Military officers shall be chosen as follows. Captains, ~~Subalterns and com-~~ and Lieutenants ~~missioned officers~~ by the written votes of their respective companies. Field officers of Regiments and separate Battalions by the written votes of the Commissioned officers of the respective Regiments and separate Battalions; Brigadier Generals and Brigade Inspectors by the Field officers of their respective Brigades; Major Generals, Brigadier Generals and commanding officers of Regiments or separate Battalions, shall appoint the Staff officers to their respective Divisions, Brigades, Regiments or separate Battalions, provided, that no person shall be eligible to any Staff appointment unless he has held a commission in the line; and that the acceptance of any commission shall vacate the preceding one.

SEC. 9. The Governor shall ~~be Commander-in-Chief of the Militia of the State, and~~ ~~shall~~ nominate, and with the consent of the Senate, appoint all Major Generals, the Quartermaster General, Commissary General and Adjutant General, other Chiefs of Staff Departments, and the Aids-de-Camp of the Commander-in-Chief shall be appointed by the Governor, and all Staff appointments shall expire with the termination of office of the person appointing

SEC 10. The duties of the Quartermaster and Commissary General, may, should the Legislature so determine, be performed by the Adjutant General.

SEC. 11. The Commissioned officers shall be commissioned by the Governor, and no commissioned officer shall be removed from office, unless by the Senate on the recommendation of the Governor, stating the grounds on which such removal is recommended, or by the decision of a Court Martial pursuant to law.

SEC 12. Courts Martial, and Courts of Enquiry shall consist of not more than three members

SEC. 13. The Legislature shall provide by law for the protection and safe keeping of the Public Arms wherever kept, and for the expenses of their transportation

SEC. 14. The Governor shall have power to call for the militia to execute the laws of the State, to suppress insurrection, to repel invasion, or whenever the safety of the State or ~~Country~~ Country shall require, and whenever so called out the militia shall receive the same pay as the United States Regular Army

SEC. 15. The militia shall in all cases except treason, felony, or breach of the peace, be privileged from arrest while in attendance going to, or returning from any duty enjoined by law.

This Article ~~having been~~ coming up for a third Reading.

On Motion moved to Recommit the Article to the Standing Committee on Militia with instructions to amend the same by striking out the Entire article & report forthwith the following as a substitute article. viz

ARTICLE

MILITIA.

1 Sec 1. The Legislature shall provide by law for the organizing and disciplining the
of this State.
2 Militia, for the effectual encouragement of Volunteer Corps and the safe Keeping of the public arms.

Agreed to. And the Article was recommitted ~~On S. McKinstry~~ from the Militia ~~Committee~~ Committee to which was recommitted the article on Militia submitted the following report

Mr President,

The Committee in accordance with the instructions given them respectfully report back to the Convention the

following articles as a substitute for the Engrossed Bill viz.

Articles
Militia

Sec 1. The Legislature shall provide by law, for the organizing and disciplining the Militia of this State for the effectual encouragement of Volunteer Corps. & safe keeping of the Public Arms.

Resply J R Plunkett
~~On Mr Larrowe~~

The Report was accepted & On motion of Mr Larrowe considered Engrossed for a third reading.

~~The article was read a~~ third The question being on the final adoption of the Article as reported from the standing Committee on Militia. The article was finally adopted by the following vote

	Mr. Alban,	NAY
	Mr Ball,	
2	Mr. Bechtel,	
3	Mr Brosnan,	
	Mr Bryan,	
4	Mr. Chapin	
	Mr. Collins	
5	Mr. Conner,	
	Mr. Co ey,	
	Mr Dorsey,	
6	Mr. Ent.	
7	Mr. Ep'er,	
8	Mr Gibson,	
	Mr Haines.	
	Mr. Harrison,	
9	Mr. Hickok,	
10	Mr. Hite,	
11	Mr. Hudson,	
12	Mr Ing,	
	Mr. Johnson,	
13	Mr. Kennedy,	
14	Mr Kinkead,	
15	Mr. Larrowe,	
16	Mr. McClure,	
	Mr. Mitchell,	
17	Mr. Nightingill,	
18	Mr. Noteware,	
	Mr. Plunkett,	1
	Mr. Potter,	
19	Mr. Ralston,	
20	Mr. Shamp,	
21	Mr. Small,	
22	Mr. Stark,	
	Mr. Sterns,	2

Mr. Johnson,
13 Mr. Kennedy,
14 Mr. Kinkead,
15 Mr Larrowe,
16 Mr. McClure,
Mr. Mitchell,
17 Mr. Nightingill,
18 Mr. Noteware,
Mr Plunkett,
Mr Potter,
19 Mr. Ralston,
20 Mr. Shamp,
21 Mr Small,
22 Mr Stark,
Mr. Sterns,
Mr. Stewart,
23 Mr. Virden,
24 Mr. Wasson,
25 Mr. Youngs,
[Mr President]
26 Mr. North.

ARTICLE

EDUCATION

SEC 1. The Legislature shall encourage by all suitable means the promotion of intel-
lectual, scientific, moral, and agricultural improvement It shall provide for the election
by the people (at such time as the Judiciary may be elected) of a Superintendent of Public
Instruction, who shall hold his office for two years, from the first Monday of July, succeed-
ing such election, and whose duties shall be prescribed by law

SEC 2. The Legislature shall provide for a system of Common Schools, by which a
school shall be established and maintained in each District, at least six months in every
year, and any School District neglecting to establish and maintain such a school, may be
deprived of its proportion of the interest of the public School fund during such neglect. The
Legislature shall, within two years pass such laws as shall make it compulsory with
parents and guardians White that all children under their charge between the ages of six and
fourteen years, shall receive educational instruction for at least three months in each year unless physically or mentally incapac-
itated, but no Sectarian instruction shall be allowed at any Public School established by
them.

SEC. 3. All lands and all proceeds of lands Except such as contain mines that have been or may be granted
or appropriated by the United States to this State; all estates that may escheat
to the State; all of such per cent as may be granted by Congress on the sale
of land; all fines collected under the penal laws of the State, all property giv-
en or bequeathed to the State for Educational purposes, and all proceeds de-
rived from any or all of said sources—shall be, and the same are hereby, sol-
emnly pledged for Educational purposes, and shall not be transferred to any
other fund for other uses; and the interest thereon shall, from time to time, be apportioned among
the several counties, in proportion to the ascertained numbers of the persons
between the ages of six and 18 years in the different counties. And the Legisla-
ture shall provide for the sale of floating land warrants to cover the aforesaid
land, and the investment of all proceeds derived from any of the above men-
tioned sources in United States Bonds Provided, that the interest only of the
aforesaid proceeds shall be used for Educational purposes, and any surplus in-
terest shall be added to the principal sum And provided further, that such
portion of said interest as may be necessary, may be appropriated for the sup
port of the State University

itated

Sec. 4. The Legislature shall provide for the establishment of a State University,
with ~~an Agricultural and~~ a Mining Department, which shall be free to all white
~~male~~ pupils between the ages of 14 and 21 years, possessing such qualifications
as may be prescribed by the Board of Regents, and whose parents or guardians
are citizens of this State.

Sec. 5 The Legislature shall provide a special tax of one half of one mill on the dollar of all taxable property in the State, in addition to the other means provided, for the support and maintenance of said University or Agricultural College and Common Schools; *provided*, that at the end of ten years they may reduce said amount to one quarter of one mill on each dollar of taxable property.

Sec 6 The Governor, Secretary of State, and the Superintendent of Public Instruction shall, for the first four years, and until their successors are elected and qualified, be a Board of Regents to control and manage the affairs of the University, or Agricultural College, and the funds of the same, under such regulations as may be provided by law; but the Legislature shall, at the expiration of that time provide for the election of a Board of Regents and define their duties.

Sec. 7. The Board of Regents shall from the interest accruing from the first funds which come under their control immediately organize and maintain the said Mining Department in such manner as to make it the most effective and useful.

Dated

Mr Chapin moved to recommit the article ~~with instructions~~ to the Standing Committee on Education with instructions to insert in the 2nd Section. after the words "United States Bonds" the Words "or other safe securities"

Mr Kinked moved to amend the motion ~~for~~ by substituting in lieu of the Words. "or" other safe" securities the words "or the Bonds of this state"

negatived.

The question recurring on the original motion of Mr Chapin. the same was negatived..

Mr Kennedy moved to recommit the article ~~with instructions~~ to the Standing Committee on Education with instructions to amend the same by striking out of ~~the~~ 2nd Section the ~~following~~ words "all money belonging to the school fund" and inserting in lieu thereof the following words "Legislature shall, within two years pass such laws as shall [illegible] parents and guardians that all children under their charge between the ages of seven and fourteen years, shall receive educational instruction, unless physically prevented from so doing" which motion was

stated.

regularly by the following roll call vote

	Mr Alban,	NAY
	Mr Ball,	
	Mr. Bechtel,	2
	Mr. [illegible],	3
	Mr Bryan,	
	Mr. Chapin,	4
	Mr. Collins	
	Mr. Conner,	5
	Mr. Co ey,	
	Mr. Dorsey,	
	Mr. Ent.	6
	Mr. Ep'er,	7
	Mr Gibson,	8
	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	9
	Mr. Hite,	10
	Mr. Hudson,	11
	Mr. Ing,	12
	Mr. Johnson,	
	Mr. Kennedy,	
	Mr. Kinkead,	13
	Mr Larrowe,	14
	Mr. McClure,	15
	Mr. Mitchell,	
	Mr. Nightingill,	16
2	Mr. Noteware,	
	Mr Plunkett,	16.
	[illegible],	
3	Mr. Ralston,	
	Mr. Shamp,	17
	Mr. Small,	18
	Mr. Stark,	19
	Mr. Sterns,	20.
	Mr. Stewart,	
	Mr. Virden,	21
4	Mr. Wasson,	22
	Mr. Youngs,	22.
	[Mr. President.]	
	Mr. North.	23

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Alban

The question occurring on the final adoption of the article entitled "Education" as read a third time the same was finally adopted by the following vote

YEA.	NAY.
Mr. Alban,	
Mr Ball,	
2 Mr. Bechtel,	
3 Mr. Brosnan,	
Mr. Bryan,	
4 Mr Chapin,	
Mr Collins	
5 Mr. Conner,	
Mr. Co ey,	
Mr. Dorsey,	
6 Mr. Ent.	
7 Mr. Ep'er,	1
9 Mr Gibson,	
Mr Haines,	
~~Mr. Harrison,~~	
8 Mr Hickok,	
9 Mr. Hite,	
10 Mr. Hudson,	
11 Mr. Ing,	
Mr. Johnson,	
12 Mr Kennedy,	
13 Mr. Kinkead,	
14 Mr Larrowe,	
15 Mr McClure,	
16 Mr. Mitchell,	
17 Mr. Nightingill,	
1 Mr. Noteware,	2
16 Mr. Plunkett,	
~~Mr Potter,~~	
17 Mr. Ralston,	
18 Mr. Shamp,	
19 Mr. Small,	
20 Mr. Stark,	
21 Mr. Sterns,	
Mr. Stewart,	
22 Mr. Virden,	
23 Mr. Wasson,	
24 Mr. Youngs,	
25 [Mr. President:] Mr. North.	
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Reported from Commi

1 Sec. 1. The

2 trict Court, in C

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1 Sec. 2 The

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Report o

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ARTICLE

JUDICIAL DEPARTMENT

Reported from Committee of the Whole as amended, November 20th, 1863

Sec 1 The Judicial power of this State shall be vested in a Supreme Court, in District Courts, in County Courts and in Justices of the Peace The Legislature may also establish courts for municipal purposes, in incorporated towns, and cities, and may, by a two-third vote of the members elect to each branch of the Legislature, establish a court with original Jurisdiction over the estates of deceased persons, and the persons and estates of minors, and insane persons, in any county where the same may be deemed necessary

Sec 2 The Supreme Court shall consist of a Chief Justice and two Associate Justices, a majority of whom shall constitute a quorum, *provided* that the Legislature, by a majority of the members elected to each branch, may at its second session or at any time thereafter, provide for the election at the Judicial election of two additional Associate Justices, and if so increased, three shall constitute a quorum. The concurrence of a majority of the whole court shall be necessary to render a decision.

and shall hold their office for the

[illegible] and Herbert Hall ask its adoption

SEC. 3 The Justices of the Supreme Court shall be elected at the Judicial election, and shall hold their office for the term of six years, from the first Monday of July next after their election, provided that there shall be elected at the first election under this Constitution, three Justices of the Supreme Court, who shall hold their office until the first Monday of July next, after their election, and they shall continue in office thereafter for two, four and six years respectively, and they shall determine by lot the term of office each shall fill, and the Justice drawing the shortest term shall be Chief Justice, and after the expiration of his term, the one having the next shortest term shall be Chief Justice, after which the senior Justice in commission shall be the Chief Justice, and in case the commission or any two or more of said justices shall bear the same date, they shall determine by lot who shall be Chief Justice

SEC 4. The Supreme Court shall have appellate jurisdiction in all cases in equity; also in all cases at law which involves the title or possession of real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand, exclusive of interest, or the value of property in controversy, amounts to two hundred dollars, ~~also in all cases relating to the estates of deceased persons and of per-~~ also in all such cases not included in the General Sub-Divisions of Law & Equity. ~~sons and estates of minors~~; and, also in all criminal cases amounting to felony on questions of law alone. The Court shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State, upon petition on behalf of any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court, or any County Court in the State, or before any Judge of said Courts.

SEC. 5. The State is hereby divided into four Judicial Districts The county of Storey shall constitute the first Judicial District The Counties of Washoe, Ormsby, and Lyon, shall constitute the second Judicial District The Counties of Humboldt and Lander, shall constitute the third Judicial District, and the Counties of Douglas and Esmeralda, shall constitute the fourth Judicial District. For judicial purposes the County of Roop shall be attached to the County of Washoe, and the County of Churchill shall be attached to the County of Lyon until otherwise provided by law. As the conven-

~~two-third~~ vote of all the mem-

and shall hold their office for the term of six years

SEC. 3 The Justices of the Supreme Court shall be elected at the Judicial election, and shall hold their office for the term of six years, from the first Monday of July next after their election, provided that there shall be elected at the first election under this Constitution, three Justices of the Supreme Court, who shall hold their office until the first Monday of July next, after their election, and they shall continue in office thereafter for two, four and six years respectively, and they shall determine by lot the term of office each shall fill, and the Justice drawing the shortest term shall be Chief Justice, and after the expiration of his term, the one having the next shortest term shall be Chief Justice, after which the senior Justice in commission shall be the Chief Justice, and in case the commission of any two or more of said justices shall bear the same date, they shall determine by lot who shall be Chief Justice.

SEC. 4 The Supreme Court shall have appellate jurisdiction in all cases in equity, also in all cases at law which involves the title or possession of real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand, exclusive of interest, or the value of property in controversy, amounts to two hundred dollars, ~~also in all cases relating to the estates of deceased persons and of persons and estates of minors~~; and, also in all criminal cases amounting to felony on questions of law alone. The Court shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State, upon petition on behalf of any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court, or any County Court in the State, or before any Judge of said Courts.

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SEC. 6. The District Court shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or possession of real property, or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to one thousand dollars; and also in all other civil cases not provided for in this Constitution, and also, in all criminal cases amounting to felony. And they shall have appellate jurisdiction to try the same, under such regulations as may be prescribed by law. All cases relating to the estate of deceased persons and of the persons and estate of minors. The District Court and their Judges shall have power to issue writs of *habeas corpus* on petition by or on behalf of any person held in actual custody in their respective Districts.

SEC. 7. The Legislature shall provide for the election by the people, of a Clerk of the Supreme Court, who shall be ex officio County Auditors, County Recorders, District Attorneys, Sheriffs, Public Administrators, County Surveyors, and other necessary officers, and fix by law, their duties and compensation, *provided* that in no case shall such compensation exceed in the aggregate, as salary and fees in office, the sum of four thousand dollars per annum, to any one of such officers, exclusive of the necessary expenses attendant upon the discharge of the duties of the office, except the Sheriffs, whose compensation in fees and salary shall in no case exceed the sum of six thousand dollars per annum, exclusive of expenses incurred necessarily in the discharge of the duties of said office. County Clerks shall be *ex-officio* Clerks of the Courts of Record in and for their respective Counties.

SEC. 8. There shall be elected, at the first election under this Constitution in each of the organized counties of this State, a county Judge, who shall hold his office until the first Monday in July next after such election, and for two years thereafter. After which a County Judge shall be elected in each County at the Judicial election next preceeding the expiration of the term of office of his predecessor, or succeeding the organization of such County, who shall hold his office for the term of four years from the first Monday of July succeeding such Elections. He shall hold the County Court which shall have jurisdiction in all civil cases where the title, possession, or boundaries of land, or mining claims, are not involved, and the amount in dispute is a money demand, or personal property, and the amount of such demand, exclusive of interest or the value of such property, is over two hundred dollars and does not exceed one thousand dollars, and in all criminal cases, not otherwise provided for in this Constitution. The Grand Jury shall be empannelled in and make their presentments and finding of indictments to the County Court, and indictments of which the County Court has no jurisdiction, shall be transferred to the District Court for trial. The County Court shall also exercise Probate jurisdiction, and jurisdiction of the persons and estates of minors and insane persons until a Probate Court be created as herein provided. The County Court and their Judges shall also have power to issue writs of *habeas corpus* on petition by or on behalf of, any person in actual custody in their respective counties.

SEC. 9. The County Courts shall have appellate jurisdiction in cases arising in Justices Courts, and also such appellate jurisdiction from other inferior Courts and tribunals as the Legislature may prescribe, but it shall have no original jurisdiction, except as provided in the last preceding section.

SEC. 10. The times and place of holding the Terms of the Supreme Court, and the General and special terms of the District Courts within the several Districts, County and Probate Courts in the several Counties, shall be as provided by law.

SEC. 11. The Legislature shall determine the number of Justices of the Peace to be elected, and fix by law their powers, duties and responsibilities; *provided*, that they shall have no jurisdiction in the trial of cases, where the title or right of possession of real estate or mining claims is involved. It shall also determine in what cases appeals may be made from Justices Courts to County Courts.

SEC. 12. No Judicial officer, except a Justice of the Peace, shall receive to his own use any fees or perquisites of office.

SEC. 13. The Justices of the Supreme Court and of the several District Courts, shall each receive the sum of ~~eight~~ seven thousand dollars per annum; *provided* that after five years the Legislature may diminish said amount.

SEC. 14. The Legislature shall provide for the payment of the salaries of the Judges of the Supreme and District Courts quarterly, in cash, and shall provide for the setting apart ~~of the first moneys~~ from each years' revenue, ~~a~~ sufficient ~~amount~~ moneys to pay such salaries; but the Legislature shall have no power to increase or diminish the salaries of said Judges, except as herein before provided.

SEC. 15. The salaries of the County Judges shall be paid quarterly in cash, out of the ~~first~~ moneys received in the County Treasury in each year in their respective Counties, and shall be as provided by law but shall not be increased or diminished during the time for which they shall have been elected, except the salaries of the County Judges, elected at the first election under this Constitution.

SEC. 16. The Justices of the Supreme Court and District Judges shall be ineligible to any ~~other~~ office, ~~except~~ other than a Judicial office, during the term for which they shall have been elected, and all elections or appointments of any such Judges, by the people, Legislature or otherwise, during said period to any office, other than Judicial, shall be void, whether such office be created by the Constitution and laws of the State, or the Constitution or laws of the United States.

SEC. 17. The Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

report and respectfully ask its adoption

Sec. 18. The style of all process shall be "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same.

Sec. 19. There shall be but one form of civil action, and law and equity may be administered in the same action.

Sec. 20. There shall be a election for Judicial officers at a Judicial election to be held on the Tuesday after the first Monday of May in each year.

This Article having had three several readings the question is being on the adoption of the article

Mr Wason moved to recommit this article to the Standing Committee of the Judiciary with instructions to amend the same by

Inserting in the 7th line of the 5th Section after the word "provide" the words by an alteration in the Counties of the Districts as herein prescribed. and in the third line of the 11th Section after the word "possession" the words Except in cases of tenantry

Mr Ralston moved to amend the motion of Mr Wason by striking out the second and last amendment

agreed to ayes 15 nays 10

report and respectfully ask its adoption.

[illegible] amended to amend
the motion of Mr Mapson
as amended by striking
the committee further
to amend by striking out
the words "two thirds" in line
8 of Sec 8. & inserting
instead the word "majority"
Negatived ayes 10 Nays 16.
The original motion of
Mr Mapson as amended
was then adopted.
Mr Lannan from the
standing Committee on
the Judiciary. to which
was recommitted the
article entitled "Judicial
Department" submitted
the following report.
Mr President.
Your Committee
on the Judiciary to which
was recommitted the
article entitled "Judi-
cial Department, with
instructions to amend
the same, by inserting in
the 7th line of the 3d Section
after the word "provide" the

words. by an alteration in the Boundarys of the Districts as herein prescribed" Have performed the duty in accordance with the instructions to your committee & report the article back as amended.

The Report was M D Lawrence.

The question being on the adoption of the Report as amended. The same was finally adopted on calling the Roll. by the following vote

YEA.	NAY.
Mr. Alban,	
Mr Ball,	
1 Mr. Bechtel,	
2 Mr. Brosman,	
Mr. Bryan,	
3 Mr Chapin,	
Mr. Collins	
4 Mr. Conner,	
Mr. Corey,	
Mr. Dorsey,	
5 Mr. Ent	
6 Mr. Ep'er,	
7 Mr Gibson,	
Mr. Haines,	
Mr. Harrison,	
8 Mr. Hickok,	
9 Mr Hite,	
10 Mr Hudson,	
11 Mr. Ing,	
Mr Johnson,	
12 Mr Kennedy,	
13 Mr Kinkead,	
14 Mr. Larrowe,	
15 Mr. McClure,	
Mr. Mitchell,	
16 Mr. Nightingill,	
17 Mr. Noteware,	
18 Mr. Plunkett,	
Mr. Potter,	
19 Mr. Ralston,	
Mr. Shamp,	
20 Mr. Small,	
21 Mr. Stark,	
22 Mr. Sterns,	
Mr. Stewart,	
23 Mr. Virden,	
24 Mr. Wasson,	
25 Mr. Youngs,	
[Mr. President :]	
26 Mr. North.	

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Mr Kinkead from the Standing Committee on Finance submitted the following Report.

To the President of the Constitutional Convention -

Sir

Your Committee on Finance and Public debt beg leave to submit the following Report and respectfully ask its adoption.

...ion of the State debt therein provided for.

Art ——————

Finance & Public Debt.

Sect. 1. The fiscal year shall commence on January 1st.

Sect. V. The Legislature shall provide for an annual tax, sufficient to defray the estimated expenses of the State for each fiscal year; and whenever the expenses of any year shall exceed the income, the Legislature shall provide for levying a tax for the ensuing year, sufficient with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing year.

Sect. 3. For the purpose of enabling the State, to transact its business upon a Cash basis, from its beginning or for the purpose of defraying extraordinary expenditures, the State may contract public debts; but such debt shall never in the Aggregate, exclusive of interest, exceed the sum of Three Hundred thousand dollars.

Provided - That the further amount of indebtedness authorized by article of this Constitution, shall be deemed legal and valid whenever said debt shall be incurred in accordance with the provisions therein expressed, and ~~the~~ said debt shall be separate and independent of the State debt herein provided for

every such debt, shall be necessary by law, for a time not exceeding thirty years, to be distinctly specified therein, and every such law shall provide for laying an annual tax sufficient to pay the annual interest of such debt, and the principal, within twenty years from the passage of such law; and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debt shall have been wholly paid.

Every Contract of indebtedness entered into or assumed by or on behalf of the State, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect; except in case of Money borrowed to repel invasion, suppress insurrection, defend the State in time of war, or, if hostilities be threatened, provide for the public defence.

Sect. 4. The State shall never assume the debt of any County, Town, City, or other Corporation whatever, unless such debt have been created to repel invasion, suppress insurrection, or defend the State in time of war.

Sect. 5. No scrip, certificate, or other evidence of State debt whatsoever, shall be issued, except for such debts as are authorized by the third Section of this Article.

on motion the report was accepted & ordered printed

A

Mr Lapsley moved that the Convention do now take a recess till 7 o'clock PM,

~~Agreed to~~

The Hour of 4.30 ~~PM~~ o'clock. PM having arrived. according to rule the Convention took a recess till 7 o'clock PM,

7 o'clock PM.

The Special order of the Day in the 3rd Reading of Articles was resumed as follows

~~7~~ for the same office

6 or more have an equal, and the highest number of votes, the Legislature shall by joint

Elect

7 vote of both Houses, ~~choose~~ one of said persons so having an equal and the highest num-

Elect by the same Ballot

EXECUTIVE DEPARTMENT

Sec 1 The supreme executive power of this State shall be vested in a Chief Magis-
trate, who shall be ~~styled~~ the Governor of the State of Nevada

Sec 2 The Governor shall be elected by the qualified electors at the time, and places
the general election
of voting for members of ~~Assembly~~, and shall hold his office four years from the time of his
installation and until his successor shall be qualified

Sec 3 No person shall be eligible to the office of Governor who is not a qualified elector and at the time of his election has not attained the age of twenty five years, nor shall any person be eligible to that office who has not resided two years next preceding the election within the limits of this State, unless he shall have been absent on the business of the State or of the United States.

Sec. 4 The returns of every election, for Governor and all other State officers voted for at the General Election shall be sealed up and transmitted
to the seat of Government, directed to the Secretary of State and On the 3rd Monday of December succeeding each election the Chief Justice of the Supreme Court and the Associate Justices shall meet at the office of the Secretary of State & proceed to open & canvass the returns Returns for Governor and all other state officers & forthwith declare the result & publish the names of the candidates elected for the respective offices shall be declared elected

5 The person having the highest number of votes ~~shall be Governor~~, but in case any two
for the same office,
6 or more have an equal, and the highest number of votes, the Legislature shall by joint
elect
7 vote of both Houses, ~~choose~~ one of said persons so having an equal and the highest num-

Sec 5 The Governor shall be Commander-in-Chief of the ~~Army and Militia~~ military forces of this State, except when they shall be called into the service of the United States

Sec 6 He shall transact all executive business with the officers of Government, civil and military, and may require information, in writing, from the officers of the Executive Department, upon any subject relating to the duties of their respective offices.

Sec. 7 He shall see that the Laws are faithfully executed

~~Sec. 8 The Governor shall be ex-officio Superintendent of Public Instruction, until such time as the Legislature may make said office seperate and independent.~~

Sec. 8 When any office shall from any cause become vacant, and no mode is provided by the Constitution and Laws for filling such vacancy, the Governor shall have power to fill such vacancy, by granting a commission, which shall expire at the end of the next session of the Legislature or at the next election ~~by the people~~ and qualification of such officer

Sec. 9 He may on extraordinary occasions, convene the Legislature, by a proclamation, and shall state to both Houses when assembled, the purpose for which they have been convened, and the Legislature shall enter on no Legislative business except that for which they were specially called together.

Sec. 10 He shall communicate, by message, to the Legislature at every session, the condition of the State, and recommend such ~~matters~~ measures as he may deem expedient.

Sec. 11 In case of a disagreement between the two Houses, with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper, *provided*, it be not beyond the time fixed for the meeting of the next Legislature

Sec 12 No person shall, while holding any office under the United States Government, ~~exercise~~ hold the office of Governor, except as herein expressly provided

Sec 13 The Governor shall have the power to suspend the collection of fines and forfeitures, and to grant reprieves for a period not exceeding sixty days, dating from the time of conviction, for all offences except treason and cases of impeachment Upon conviction for treason he shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence or grant a further reprieve and if the Legislature should fail or refuse to make final disposition of such case, the sentence shall then be enforced at such time and place as the Governor by his order may direct // The Governor shall communicate to the Legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve pardon or commutation granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon or reprieve

4. ~~shall be ex-officio Controller of State~~, and perform such other duties as shall be
6. assigned him by law,

vided of having given or offered a bribe to procure his election or appointment.

Sec. 10. The Governor shall have the power to grant reprieves and pardons after conviction, for all offences except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason he shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve.

ARTICLE 9.

Section 1. All lands now or hereafter granted to this State by the United States, and all lands now held or hereafter granted by the United States, or by any person or persons to the State, for the use of a University or Agricultural College, and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be, and remain a permanent fund, the interest of which shall be applied to the support of said University or Agricultural College, with such branches as the public convenience may demand for the promotion of literature, the arts and sciences, as may be authorized by the terms of such

The Governor, Justices of the Supreme Court and Attorney General, or a major part of them, of whom the Governor shall be one—may, upon such conditions and with limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, and grant pardons after convictions in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner applying for pardons.

No. 15 There shall be a seal for this State, which shall be kept by the Governor, and

used by him officially, and shall be called "The Great Seal of the State of Nevada."

SEC. 16 All grants and commissions shall be in the name and by the authority of the ~~people of the~~ State of Nevada, sealed with the Great Seal of the State, signed by the Governor, and countersigned by the Secretary of State.

SEC. 17 A Lieutenant Governor shall be elected at the same time and places, and in the same manner as the Governor, and his term of office, and his qualifications of eligibility, shall also be the same. He shall be President of the Senate, but shall only have a casting vote therein.

If during a vacancy of the office of Governor, the Lieutenant Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the State, the President pro tem of the Senate shall act as Governor until the vacancy be filled, or the disability shall cease.

SEC. 18 In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of the said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, and at the head of any military force thereof, he shall continue Commander-in-Chief of the military force of the State.

SEC. 19 A Secretary of State, a Treasurer, a Controller and an Attorney General, ~~and a Surveyor General~~ shall be elected at the time and places and in the same manner as the Governor. The term of office of each shall be the same as is prescribed for the Governor. Any elector ~~citizen~~ shall be eligible to either of said offices.

SEC. 20 The Secretary of State shall keep a true record of the official acts of the Legislative and Executive Departments of the Government, and shall, when required, lay the same and all matters relative thereto, before either branch of the Legislature, and ~~shall be ex-officio Controller of State~~, and perform such other duties as shall be assigned him by law.

The Governor, Secretary of State, and Attorney General shall constitute a Board of State Prison Commissioners, which board shall have such supervision of all matters connected with the State Prison, as may be provided by law. They shall also constitute a "Board of Examiners," with power to examine all claims against the State (except salaries or compensation of officers) and perform such other duties as may be prescribed by law.

SEC. ~~22~~ The Governor, Lieutenant Governor, Secretary of State, Treasurer, Attorney General ~~and Surveyor General~~, shall each, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished during the term for which they shall have been elected, but neither of these officers shall receive for his own use any fees for the performance of his official duties.

On adding the Roll this article Seventy-three received Readings was finally adopted by the following vote

	Mr. Alban,	NAY.
2	Mr Ball,	
	Mr. Bechtel,	
3	Mr. Brosnan,	
	Mr. Bryan,	
4	Mr. Chapin,	
	Mr Collins	
5	Mr. Connel,	
	Mr Covey,	
	Mr Dorsey	
6	Mr Ent	
	Mr. Epler,	
7	Mr Gibson,	
	Mr. Haines.	
	Mr Harrison,	
8	Mr Hickok,	
9	Mr. Hite,	
10	Mr Hudson,	
11	Mr Ing,	
	Mr Johnson,	
12	Mr Kennedy,	
13	Mr Kinkead,	
14	Mr Larrowe,	
	Mr McClure,	
	Mr Mitchell,	
15	Mr Nightingill,	
16	Mr. Noteware,	
17	Mr. Plunkett,	
	Mr. Potter,	
18	Mr Ralston,	
	Mr Shamp,	
19	Mr. Small,	
	Mr. Stark,	
	Mr. Sterns,	
20	Mr. Stewart,	
21	Mr. Virden,	

Sec 21

The Governor, Secretary of State and Attorney General shall constitute a Board of State Prison Commissioners, which board shall have such supervision of all matters connected with the State Prison, as may be provided by law. They shall also constitute a Board of Examiners, with power to examine all claims against the State (except salaries or compensation of officers) and perform such other duties as may be prescribed by law.

first d. by Law

for a Public Institution

Comptroller

Sec 22 The Governor, Lieutenant Governor, Secretary of State, Treasurer, Attorney General ~~and Surveyor General~~, shall each, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished during the term for which they shall have been elected, but neither of these officers shall receive for his own use any fees for the performance of his official duties.

Sec 23 The Secretary of State the Treasurer State Comptroller Attorney General Superintendent of Public Instruction shall perform such duties as may be prescribed by law.

On adding the Roll to this article Twenty three

Mr. Kinkead
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr Plunkett,
Mr. Potter,
Mr Ralston,
Mr Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
[Mr President]
Mr. North.

A-24

Mr Larrowe moved that the Secretary of this Convention be authorized to employ a good enrolling clerk to enroll the Constitution as adopted.

Agreed to.

Mr Young moved that the Convention do now go into the Committee of the Whole on the 2nd part of the article entitled "Miscellaneous provisions"

Agreed to.

The Convention in Committee of the Whole Mr Hilton in the chair considered said article.

In time the Committee rose & Mr Hite reported that

The Committee of the Whole had had under consideration the article entitled Miscellaneous provisions, had gone through therewith had made some amendments thereto and directed their

2-10

~~[illegible]~~ Article laid on the Convention & amendments to adoption.

The Report was accepted ~~and laid on the table~~

Mr. Gibson moved that the adoption of the articles just reported be made the Special Order for ~~the~~ 1 o'clock P.M.

On motion ~~of~~ the whole subject was laid on the table

Mr Ralston ~~submitted~~ ~~the following resolution~~ ~~[illegible]~~ a memorial to Congress relative to the Eastern Boundary line. ~~[illegible]~~

[redacted] moved to refer
the memorial to Mr Ralston
Lost
Mr Stems moved to refer the
memorial to the Select Com-
mittee on Memorializing Congress
relative to the Eastern Boundary.
Agreed to
Mr Stems moved that the
Select committee appointed
to draft memorials to Congress
and California concerning
the Eastern & Western Boun-
daries be instructed to report
on Saturday morning
Agreed to
Mr Ralston moved that the
[redacted] Select Committees appoin
ted to draft memorials to
Congress & California relative
to Boundaries be discharged
and that a Committee of five
be appointed by the Chair
~~composed of five each~~.
Agreed to.
Mr Stewart moved that the
Select Committee appointed to
memorialize California rela
tive to the Western Boundary
be discharged and a new
Committee

offered
agreed to
The ~~Chair~~ President announced the following as the select Committees

To memorialize the Legislature of California relative to the ~~Western~~ Eastern Boundary

Messrs. Stewart, Young, Watson. Irby & Notewares

To memorialize Congress relative to the Eastern Boundary.

Messrs Ralston Epler-Derick ok. Conner & Kinkead.

On Young moved that all Standing & Select Committees be directed to make final reports to this Convention on or before Saturday morning

agreed to

On Chapin asked leave of absence ~~till~~ for tomorrow Friday

Granted

On motion of Mr Sanford at ½ past 8 o'clock P.M. the Convention adjourned until 9 o'clock A.M. tomorrow.

elected at the first election o
ediate the general election

Friday Dec 4th 1863

The Convention met pursuant to adjournment at 10 o'clock AM Prayer by the Chaplain

On calling the Roll the following Delegates were present

And the following absent

	Mr. Alban,	NAY
	Mr Ball,	
	Mr Bechtel,	
	Mr Bingham,	
4	Mr. Bryan,	
	Mr Chapin,	
	Mr. Collins	
6	Mr. Comer,	
	Mr. Co ey,	
	Mr. Dorsey,	
8	Mr Ent.	
9	Mr. Epler,	
10	Mr Gibson,	
	Mr Haines	
	Mr. Harrison,	
12	Mr Hickok,	
13	Mr Hite,	
	Mr Hudson,	
15	Mr Ing,	
	Mr. Johnson,	
15	Mr Kennedy,	
16	Mr. Kinkead,	
17	Mr. Larrowe,	
	Mr. McClure,	
18	Mr. Mitchell,	
19	Mr. Nightingill,	
	Mr. Noteware,	
	Mr. Plunkett,	
	Mr. Potter,	
24	Mr Ralston,	
	Mr Shamp,	
23	Mr. Small,	
24	Mr. Stark,	
25	Mr. Sterns,	
2	Mr Stewart,	
26	Mr. Virden,	
27	Mr. Wasson,	
28	Mr. Youngs,	
	[Mr. President]	
29	Mr. North.	

29

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The Journal of yesterday was read and approved

Leave of absence was granted Mr Haines for an indefinite period

Mr. ~~Carter~~ from the ~~Select~~ ~~Phrenology~~ ~~Committee~~ Committee on ~~Engrossed~~ submitted the following report.

To the President of the convention

The undersigned committee on Phrenology &c. beg leave to report that they have compared the Engrossed Article ~~H~~ on Legislative Department with the original, & find the same correctly engrossed

M D Larrowe

Wm H Virden

Committee submits the following Report

To the President of the Convention
The undersigned committee on Schedule, &c, beg leave to make a partial report

section 1) This Constitution shall be Submitted to the People for their ratification or rejection at a special election to be held on the second Tuesday of January A.D. 1864

The Executive of the existing Government of the Territory of Nevada is hereby ~~requested~~ requested to issue a Proclamation to the People directing the County Commissioners of the several Counties to cause such election to be held on the day aforesaid in the respective Counties

The election shall be conducted in the manner which was prescribed for the election of delegates to this Convention, except that the County Commissioners ordering such election in the respective Counties, shall have Power to designate any additional number of Places for opening the polls; and ~~the~~ in every Place of holding the election, a regular Poll list shall be kept by the Judges and Inspectors of Election

It shall be the duty of these Judges and Inspectors of election on the day aforesaid to receive the Votes of the Electors qualified to vote at such election, each Voter shall express his opinion by depositing in the ballot-box a ticket whereon shall be written or Printed "For the Constitution" or "Against the Constitution" or such words as will distinctly convey the intention of the Voter

these judges and Inspectors shall also receive
the Votes for the several offices to be voted for
at the said Election as herein provided
And the Clerk of the Election the Judges and
Inspectors shall carefully count such ballot-
and forthwith make duplicate returns thereof
to the Clerk of the Board of County Commissioners
of their respective Counties, and said Clerk shall
transmit an abstract of the same by the most
safe and rapid Conveyance to the Secretary of ~~State~~ the Territory
enclosed in an envelope marked "Election returns"

Sec. 2 Upon the receipt of said returns or within
15 days after the election, if the returns be not
sooner received, it shall be the duty of a Board
of Territorial Canvassers, to Consist of the Secretary
of the Territory & the President and Secretary of
this Convention who in the presence of all who may
chose to attend shall canvass the returns of
said election and immediately Publish an abstract
of the same in one or more of the Newspapers of
the Territory of Nevada And the ~~President~~ Governor
of this convention ~~of the Territory~~ immediately after ascertaining
that the Constitution has been ratified by
the People, Make Proclamation of the fact and
thenceforth this Constitution

shall be admitted by an ordinance of the Constitution of the State of Nevada

Sec 8. 2. This Constitution shall be ratified by the People of the several members of the State Legislature elected, shall on proclamation of the ~~Governor~~ President of this Convention, assemble at the seat of Government, ~~and~~ elect ~~Two~~ U. S. Senators who shall forthwith proceed to Washington & urge the admission of the State of Nevada into the Union.

All which is respectfully submitted.

M. D. Larrowe
H. Gorman
Wm. McClean

The Report was accepted & Ordered printed.

the Select Committee to which was referred the memorial ~~rel~~ to congress relative to the Eastern Boundary submitted a report thereon which he subsequently read & new. by leave of the Convention for the purpose of amending

Mr Kite moved that the Convention ~~do~~ go into Committee of the Whole on the article Entitled "Finance & Public Debt" agreed to

The Convention in Committee of the Whole Mr Noteware in the Chair considered said article,

In time the Committee rose & Mr Noteware reported that

~~The Committee~~

The Committee of the Whole have had under consideration the article Entitled "Finance and Public Debt" have gone through the same made no amendments thereto and directed their Chairman to report the said article back to the Convention and recommend its adoption.

The Report was accepted & Mr Hite moved that the article as reported be read a second time by title.

Agreed to.

The article ~~as~~ reported as follows was read by title

ARTICLE

FINANCE AND PUBLIC DEBT.

1 SEC. 1. The fiscal year shall commence January first.

1 SEC. 2. The Legislature shall provide for an annual tax sufficient to defray the esti-
2 mated expenses of the State for each fiscal year, and whenever the expenses of any year
3 shall exceed the income, the Legislature shall provide for levying a tax for the ensuing year
4 sufficient with other sources of income to pay the deficiency, as well as the estimated
5 expenses of such ensuing year.

Sec. 2. For the purpose of enabling the State to transact its business upon a cash basis from its beginning or for the purpose of defraying extraordinary expenditures, the State may contract public debt; but such debt shall never at the aggregate exclusive of interest, exceed the sum of three hundred thousand dollars; provided that the further amount of said indebtedness authorized by article [illegible] of this Constitution shall be deemed legal and valid whenever said debt shall be incurred in accordance with the provisions therein expressed and said debt shall be private exclusively of the State debt hereinbefore provided for. Every such debt shall be authorized by law for some purpose or purposes to be distinctly specified therein, and every such law shall provide for levying an annual tax sufficient to pay the annual interest and principal, within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the State, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the State in time of war, or if hostilities be threatened, provide for the public defense.

Sec. 4. The State shall never assume the debts of any County, Town, City or other Corporation whatever, unless such debts have been created to repel invasion, suppress insurrection or defend the State in time of war.

Sec. 5. No script, certificate or other evidence of State debt whatsoever shall be issued, except for such debts as are authorized by the third section of this article.

Mr Ralston moved that the article be adopted

Agreed to.

Mr Hite moved that the article entitled "Legislative Department" be read a third time forthwith

Agreed to

The article was then read as follows.

the Legislature

LEGISLATIVE DEPARTMENT

SEC. 1. The Legislative authority of this State shall be vested in a Senate and Assembly, which shall be designated "The Legislature of the State of Nevada," and the sessions of such Legislature shall be held at the seat of government of the State

SEC. 2 The sessions of the Legislature shall be biennial, and shall commence on the first Monday of January next ensuing the election of its members, unless the Governor of the State shall in the interim convene the Legislature by proclamation.

SEC 3. The members of the Assembly shall be chosen biennially by the qualified ~~voters~~ Electors of their respective districts on the Tuesday next after the first Monday in November, and their term of office shall be two years from the day next after their election.

SEC. 4. Senators shall be chosen at the same time and places as members of the Assembly by the qualified ~~voters~~ Electors of their respective districts, and their term of office shall be four years from the day next after their election.

SEC. 5. Senators and members of the Assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of the Senators shall not be less than one-third or more than one-half of that of the members of the Assembly

SEC. 6 Each house shall judge of the qualifications, elections and returns of its own members, and choose its own officers (except the President of the Senate,) and shall determine the rules of its proceedings, may punish its members for disorderly conduct, and may, with the concurrence of two-thirds of all the members elected, expel a member.

SEC 7 Either house, during the session, may punish by imprisonment any person not a member, who shall have been guilty of disrespect to the house by disorderly or contemptuous behavior in its presence, but such imprisonment shall not extend beyond the final adjournment of the session.

SEC. 8 No Senator or member of Assembly shall, during the term for which he shall have been elected, nor for one year thereafter, be appointed to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased during such term, except such office as may be filled by elections by the people.

SEC. 9. No person holding any lucrative office under the Government of the United States, or any other power, shall be eligible to any civil office of profit under this State; *provided*, that officers in the militia, to which there is attached no annual salary, or postmasters whose compensation does not exceed five hundred dollars per ~~annum~~ Quarter, or Commissioners of Deeds shall not be deemed lucrative

the Legislature

SEC. 10. Any person who shall be convicted of the embezzlement or defalcation of the public funds of this State, or who may be convicted of having given or offered a bribe to procure his election or appointment to office, or received a bribe or reward to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this State.

SEC. 11. Members of the Legislature shall be privileged from arrest on civil process during the session of the Legislature, and for fifteen days next before the commencement of each session.

SEC. 12. When vacancies occur in either house, the Governor shall issue writs of election to fill such vacancy.

SEC. 13. A majority of all the members elected to each house shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each house may ~~provide~~ prescribe.

SEC. 14. ~~Each house shall keep a journal of its own proceedings, which shall be published,~~ and the ayes and noes of the members of either house on any question shall, at the desire of any three members present, be entered on the journal.

SEC. 15. The doors of each house shall be kept open during its session, and neither shall, without the consent of the other, adjourn more than three days, nor to any other place than that in which they may be holding their sessions.

SEC. 16. Any bill may originate in either house of the Legislature, and all bills passed by one house may be amended in the other.

SEC. 17. Each law enacted by the Legislature shall embrace but one subject and matters properly connected therewith, which subject shall be briefly expressed in the title, and no law shall be revised or amended by reference to its title; but, in such case, the act revised, or section amended, shall be re-enacted and published at length.

SEC. 18. Every bill shall be read by sections, on three several days, in each house, unless, in case of emergency, two-thirds of the house where such bill may be pending shall deem it expedient to dispense with this rule, but the reading of a bill by sections, on its final passage, shall, in no case, be dispensed with, and the vote on the passage of every bill, or joint resolution, shall be taken by ayes and nays, to be entered on the journals of each house; and a majority of all the members elected to each house, shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed, shall be signed by the presiding officers of the respective houses.

SEC. 19. No money shall be drawn from the treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public moneys shall be attached to and published with the laws, at every regular session of the Legislature.

SEC 20. The Legislature shall not pass local or special laws, in any of the following enumerated cases, that is to say: Regulating the jurisdiction and duties of Justices of the Peace, and of Constables; for the punishment of crimes and misdemeanors; regulating the practice of courts of justice; providing for changing the venue in civil and criminal cases, granting divorces; changing the names of persons, vacating roads, town plats, streets, alleys and public squares, summoning and empanneling grand and petit juries, and providing for their compensation; regulating county and township business, regulating the election of county and township officers, and their compensation; for the assessment and collection of taxes for State, county and township purposes; in relation to fees or salaries, in relation to interest on money, providing for opening and conducting elections of State, county or township officers, and designating the places of voting; providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities.

SEC 21. In all cases enumerated in the preceding sections, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State.

SEC 22. Provisions may be made by general law for bringing suit against the State as to all liabilities originating after the adoption of this Constitution.

SEC 23. The enacting clause of every law shall be as follows. "The people of the State of Nevada represented in Senate and Assembly do enact as follows"—and no law shall be enacted except by bill.

SEC. 24. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

SEC. 25 The Legislature shall establish a system of county and town government which shall be uniform throughout the State.

SEC 26. The Legislature shall provide for the election of a board of County Commissioners in each county, and these Commissioners shall jointly and individually perform such duties as may be prescribed by law.

SEC. 27 Laws shall be made to exclude from ~~holding office and~~ serving on juries ~~those~~ all persons not qualified electors of this state. and all persons who shall have been convicted of bribery, perjury, forgery, larceny or other high crimes, unless restored to civil rights and laws shall be passed regulating elections and prohibiting under adequate penalties all undue influence thereon from power, bribery, tumult or other improper practice

SEC 28 No money shall be drawn from the State Treasury as salary or compensation to any officer or employee of the Legislature or either branch thereof, except in cases where such salary or compensation has been fixed by a law in force prior to the election or appointment of such officer or employee, and the salary or compensation so fixed shall neither be increased or diminished so as to apply to any officer or employee of the Legislature or either branch thereof at such session, *provided*, that this restriction shall not apply to the first session of the Legislature

SEC 29. The first session of the Legislature under ~~the~~ this Constitution may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session convened by the Governor exceed twenty days.

SEC 30. A homestead not exceeding one hundred and sixty acres of land, outside of the limits of a town or city, or not exceeding one acre within the limits of any town or city, occupied as a residence by the family of the owner, together with all the improvements on the same, of the aggregate value of five thousand dollars, shall be exempt from forced sale under any process of law, and shall not be alienated without the ~~joint~~ consent of husband and wife, when that relation exists, but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises or for the erection of improvements thereon, *provided*, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife, and laws shall be enacted providing for the recording of such homestead within the county in which the same may be situated.

SEC 31. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired *afterward* by gift, devise, or descent, shall be her seperate property, and laws shall be passed more clearly ~~closely~~ defining the rights of the wife, in relation as well to her separate property, as to that held in common with her husband Laws shall also be passed providing for the registration of the wife's separate property.

SEC 32 No law shall be passed authorizing married women to carry on business as sole traders.

SEC 33. The members of the Legislature shall receive as compensation for their services the sum of ~~three~~ eight dollars for each day's actual attendance upon their legislative duties at any regular or special session, and thirty cents for each mile traveled ~~by~~ the usual route in going to and returning from the place of meeting of the Legislature, and no further compensation or allowance shall be made to any member of the Legislature for the performance of his official duties, *provided*, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges newspapers and stationery, not exceeding the sum of forty dollars for any general or special session, to each member, and furthermore provided, that the Speaker of the Assembly and Lieutenant Governor as President of the Senate, shall each, during the time of their actual attendance as such presiding officers, receive an additional allowance of ~~three~~ two dollars per diem.

SEC. 34. In all elections for United States Senators, such election shall be be held in Joint Convention of both houses of the Legislature. It shall be the duty of the Legislature which convenes next preceding the expiration of the term of any such Senator, to elect his successor. If a vacancy in such Senatorial representation from any cause occurs, it shall be the duty of the Legislature then in session or at the succeeding session thereof, to supply such vacancy. If the Legislature shall at any time as herein provided, fail to unite in a Joint Convention within twenty days after the commencement of the session of the Legislature, for the election of such Senator, it shall be the duty of the Governor, by proclamation, to convene the two houses of the Legislature in Joint Convention, within not less than five days nor exceeding ten days from the publication of his proclamation, and the Joint Convention, when so assembled, shall proceed to elect the Senator as herein provided.

SEC. 35. Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve it, he shall sign it, but if not, he shall return it, with his objections, to the house in which it originated, which shall enter the same upon the journal, and proceed to reconsider it. If, after such reconsideration, it again pass both houses by ayes and noes, by a majority of two thirds of the members elected to each house, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted) exclusive of the day on which he received it, the same shall be a law, in like manner as if he had signed it, unless the Legislature, by its final adjournment prevent such return, in which case it shall be a law, unless the Governor, within ~~three~~ ten days next after the adjournment (Sunday excepted) shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next session, in like manner as if it had been returned by the Governor; and if the same shall receive the vote of two-thirds of the members elected to each branch of the Legislature, upon a vote taken by ayes and noes to be entered on the journals of each house, it shall become a law.

This article having had three several Readings.
Mr Chapin moved to recommit the same to the Standing Committee.

on the Legislature Department with instructions to amend the same by striking out the 32nd Section reading as follows.

Sec. 32 No law shall be passed authorizing married woman to carry on business as sole traders.

On calling the Roll the motion to recommit was negatived by the following vote.

Yeas.	Mr. Alban,	NAY.
	Mr Ball,	1
	Mr. Bechtel,	2
	Mr Bigham,	3
	Mr. Bryan,	
1	Mr. Chapin	
	Mr. Collins	
	Mr. Conner,	4
	Mr. Covey,	
	Mr. Dorsey,	5
	Mr. Ent	6
	Mr. Epler,	7
	Mr Gibson,	8
	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	9
	Mr. Hite,	10
	Mr. Hudson,	11
	Mr Ing.	12
	Mr Johnson,	
	Mr. Kennedy,	13
	Mr. Kinkead,	14
2	Mr. Larrowe,	
	Mr. McClure,	
	Mr. Mitchell,	15
3	Mr. Nightingill,	
	Mr. Noteware,	16
	Mr. Plunkett,	17
	[redacted],	
	Mr Ralston,	18
	Mr. Shamp,	19
	Mr. Small,	20
	Mr. Stark,	
4	Mr. Sterns,	~~21~~
	Mr. Stewart,	
	Mr. Virden,	22
	Mr. Wasson,	23
	Mr. Youngs,	24
	[Mr. President]	
	Mr. North.	~~24~~

A 4
N 24

1 H SEC. 3

2 sole trad

The Article as read a third time was on Calling the Roll finally adopted by the following vote

	Mr. Alban,	NAY
1	Mr Ball,	
2	Mr Bechtel,	
3	Mr Bosman,	
	Mr. Bryan,	
4	Mr. Chapin,	
	Mr Collins	
5	Mr Conner,	
	Mr. Covey,	
6	Mr. Dorsey,	
7	Mr. Ent	
8	Mr Epler,	
9	Mr Gibson,	
	Mr. Haines.	
	Mr. Harrison,	
10	Mr. Hickok,	
11	Mr. Hite,	
12	Mr. Hudson,	
13	Mr. Ing,	
	Mr Johnson,	
14	Mr Kennedy,	
15	Mr Kinkead,	
16	Mr Larrowe,	
	Mr McClure,	
17	Mr. Mitchell,	
18	Mr. Nightingill,	
19	Mr. Noteware,	
20	Mr Plunkett,	
	~~Mr. Potter,~~	
21	Mr Ralston,	
22	Mr. Shamp,	
23	Mr. Small,	
	Mr. Stark,	
24	Mr. Sterns,	
	Mr. Stewart,	
25	Mr. Virden,	
26	Mr. Wasson,	
27	Mr. Youngs,	

Mr. McClure,
Mr. Mitchell,
18 Mr. Nightingill,
19 Mr. Noteware,
20 Mr Plunkett,
~~Mr Potter,~~
21 Mr. Ralston,
22 Mr Shamp,
23 Mr. Small,
Mr Stark,
24 Mr. Sterns,
Mr. Stewart,
25 Mr. Virden,
26 Mr. Wasson,
27 Mr. Youngs,
[Mr President]
28 Mr. North.
28 neg none

~~but amended~~ as finally adopted yesterday, by inserting the word "organized" between the words "Each" & "County" in the second clause of Section 8.

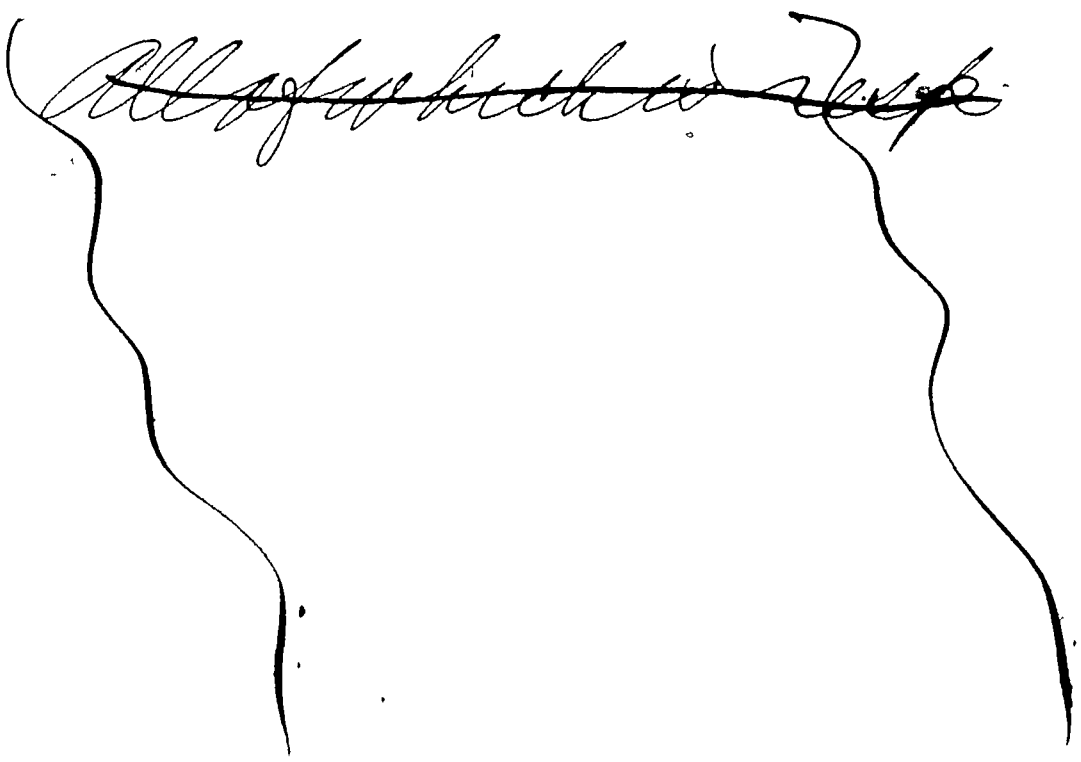
Refused.

On Motion from the Select Committee on Memorial to Congress, submitted the following report.

To the President of the Convention

The undersigned Committee to whom was assigned the duty of drafting a Memorial to Congress upon the subject of extending eastward the Eastern boundary line of Nevada Territory respectfully submit the following ~~Report~~ & recommend its adoption

~~Memorial to Congress~~



and House of Representatives
in Congress Assembled.

The Memorial of the Delegates assembled
in the Territory of Nevada to form a State
Constitution

Respectfully represents

That the Boundary of said Territory (or State
of Nevada) should be changed so that the line
separating Nevada from Utah Territory shall
pass from North to South on the 37th deg of
longitude West of Washington

That this division would be just to
Nevada and to Utah Territories making them
about equal in superficial extent and enabling
each to form State Governments of convenient size
; but if the 38 deg of longitude falls within Utah
Territory it will leave Nevada of contracted
dimensions and of much greater length than
breadth

That the tract of Country Your
Memorialists desire to have added to Nevada
is an uninhabited wilderness, with the exception
of the Way Stations therein established by the
United States mail Company, and a very few
Way-Stations on the Southern route from
Salt Lake City to Los Angelos.

That the line dividing Nevada and Utah Territories as at present established, and the particulars of Surveys monuments & the inhabitants upon the Settlement of the Country adjacent thereto by dividing said Settlements — Starting at it does in the Goose Creek Mountains and extending south across other ranges of Mountains interspersed throughout with numerous valleys well supplied with wood water and grass — the acquisition of which is of much greater necessity to Nevada than to Utah — the latter Territory having an abundance of agricultural lands whilst the former contains but a very limited quantity whereas if the line be removed one degree Eastward the inconvenience will be obviated — the arable lands or valleys remaining undivided, and an appropriate Natural dividing line by the borders found upon an extension of alkali desert which can never be inhabited

Your Memorialists would therefore ask of your Honl Bodies that a law be passed designating the 39th deg of Lat: as the Eastern Boundary line of the Territory or State of Nevada

And your Memorialists as in duty bound will ever pray

J. W. Bowker
Late Gov of Nevada

[illegible] accepted
& ordered printed.

On Motion moved
that the Convention now
now take a recess.
agreed to
at 11.45 o clock a.m.
the Convention took a
recess till 1 o clock p.m.

Mr Larmour moved that the Convention go into Committee of the Whole on the additional Report of the Committee on Schedule

Agreed to.

The Convention Committee of the Whole Mr Kennedy in the Chair considered said Article on the Schedule.

In time Mr Kennedy reported that

The Committee of the Whole have had under consideration the article Entitled Schedule. ~~Miscellaneous Provisions~~ had made some progress therein but having not gone through them as they had directed therefore Chairman to report that fact & the Convention to ask leave to sit again

Leave was granted.

Mr Ralston moved that the Article Entitled Miscellaneous provisions be recommitted to the Committee of the Whole

Agreed to

Convention to meet to
Committee of the whole
on the Part of entitled
Miscellaneous Business
Agreed to
Convention in Committee
of the Whole Made in the
Chair. Considered said
Article.

In time the Committee
rose & Mr Hite reported that
the Committee of the
Whole had had under con
sideration the Article En
titled Miscellaneous Provis
ions had gone through the
with had made some amend
ment thereto and directed
their Chairman to report
the Article back to the Convention
and recommend its ~~passage~~
Concurrence therein.

The Report was accepted
as follows.

SEC. 1. The seat of Government shall be at Carson City.

SEC. 2. Members of the Legislature and all officers, Executive and Ministerial, shall before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation.

I do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States, and the Constitution and Government of the State of Nevada against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution, or law of any State, Convention or Legislature to the contrary notwithstanding, and further, that I do this with a full determination, pledge and purpose, without any mental reservation or evasion whatsoever; and further, that I will well and faithfully perform all the duties of the office of on which I am about to enter, so help me God.

SEC. 3. No person shall be eligible to any office who is not a qualified elector.

SEC. 4. Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments, shall be entered on their journals with the ayes and noes taken thereon and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if in the Legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people in such manner, and at such time as the Legislature shall prescribe, and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall become a part of the Constitution.

SEC. 5. And if at any time, two-thirds of the Senate and Assembly shall think it necessary to revise and change this entire Constitution, they shall recommend to the electors at the next election for members of the Legislature to vote for or against the Convention, and if it shall appear that a majority of the electors voting at such election have voted in favor of calling a Convention, the Legislature shall at its next session provide by law for calling a Convention to be holden within six months after the passage of such law, and such Convention shall consist of a number of members not less than that of both branches of the Legislature.

with the following amendments thereto.

after City the words "for five years after the admission of this State into the Union But no appropriation for the erection or purchase of Capital Buildings shall be made during that period. provided that after the expiration of five years the Legislature shall submit the question of the location of the Capital to a vote of the people and the place receiving the highest number of votes shall be the permanent seat of Government

Further Amend Sec. by ~~adding~~ inserting after the word "Whatsoever" in the oath the following "and I do further solemnly swear (or affirm as the case may be) that I have not fought a duel nor send or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel nor

[illegible] Official challenge or acceptance since the adoption of the Constitution and I would not be engaged or concerned directly or indirectly in or about any such duel during my continuance in office."

Amend further by adding after the last word elector in the 3rd sec. the words following viz. "Or who has fought or been in any manner concerned in a duel since the adoption of this Constitution"

The question being on ~~the adoption~~ agreeing to the ~~first~~ amendment to the first section.

Mr Gibson moved to amend the same by striking out all after the word "period."

Negatived

Mr Stevens moved to amend the original section by striking out the

Mr Darrow moved to amend by striking out all after the words "Legislature shall" and

permanently locate the Seat of Government"
Negatived.
Mr Gibson moved to strike out all of amendment after the word "years".
On calling the Roll the motion was negatived by the following vote

	Mr. Alban,	NAY.
	Mr Ball,	2
	Mr. Bechtel,	3
	Mr. Boran,	4
	Mr. Bryan,	5
	Mr. Chapin,	6
	Mr. Collins	
	Mr. Conner,	
	Mr. Co ey,	
	Mr. Horsey,	
	Mr. Ent.	8
	Mr. Ep'er,	9
	Mr Gibson,	
	Mr. Hames,	
	Mr. Harrison,	
	Mr. Hickok,	10
	Mr. Hite,	11
	Mr. Hudson,	12
	Mr Ing,	13
	Mr Johnson,	
	Mr Kennedy,	14
	Mr Kinkead,	15
	Mr Larrowe,	
	Mr. McClure,	
	Mr Mitchell,	16
	Mr. Nightingill,	
	Mr. Noteware,	
	Mr Plunkett,	17
	~~Mr. Potter~~,	
	Mr. Ralston,	18
	Mr Shamp,	19
	Mr Small,	
	Mr. Stark,	20
	Mr. Sterns,	21
	Mr. Stewart,	22
	Mr. Virden,	23
	Mr. Wasson,	
	Mr. Youngs,	24
	[Mr. President :]	
	Mr. North.	

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the
Mr. L
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like
nt
the
day

Mr Sterns moved that the
rec'd as reported be amen
ded by substituting the
word "Aurora" for the words
Carson City.

Mr Hill moved to ~~lay~~ indef
initely postpone the said
motion agreed to.

Mr Gibson moved to amend
the Report by striking out
the entire Section first.

Negatived.

~~The Chair~~ On calling the roll
the amendment to Rec'd made
in Committee of the Whole was
concurred in by the following
vote

1	Mr. Alban,	NAY.
2	Mr Ball,	
	Mr. Bechtel,	/
3	Mr Brosnan,	
	Mr Bryan,	
4	Mr. Chapin,	
	Mr. Collins,	
5	Mr. Conner,	
	Mr. Cooney,	
6	Mr. Dorsey,	
	Mr. Ent	2
	Mr. Epler,	3
	Mr Gibson,	4
	Mr. Haines,	
	Mr. Harrison,	
	Mr. Hickok,	5
7	Mr. Hite,	
8	Mr. Hudson,	
	Mr. Ing,	6
	Mr. Johnson,	
7	Mr. Kennedy,	
	Mr. Kinkead,	7
	Mr. Larrowe,	8

Concurred in by the following vote

14	Mr. Alban,	NAY.
2	Mr Ball,	
	Mr [illegible],	
	Mr [illegible],	
	Mr. Bryan	
11	Mr Chapin,	
	Mr Collins	
	Mr Comer,	
	Mr Covey,	
6	Mr Dorsey,	
	Mr. Ent.	2
	Mr. Epler,	3
	Mr Gibson,	4
	Mr Haines,	
	Mr. Harrison,	
	Mr. Hickok,	5
	Mr Hite,	
8	Mr Hudson,	
	Mr. Ing,	6
	Mr Johnson,	
	Mr. Kennedy,	
	Mr. Kinkead,	7
	Mr. Larrowe,	8
	Mr. McClure,	
10	Mr. Mitchell,	
11	Mr. Nightingill,	
	Mr. Noteware,	9
12	Mr. Plunkett,	
	~~Mr. Potter,~~	
13	Mr. Ralston,	10
	Mr. Shamp,	11
	Mr Small,	12
	Mr Stark,	
14	Mr. Sterns,	
15	Mr Stewart,	
16	Mr. Virden,	13
	Mr Wasson,	14
	Mr. Youngs,	
	[Mr President]	15
	Mr. North.	

Ordered accordingly

~~Reserved~~ All amendments were concurred in and the report adopted.

Mr Lannan moved that the article be read a second time by title

agreed to. and

~~Mr~~ the same was read as ordered.

Mr Young moved that ~~the~~ article be ordered engrossed for a third reading.

Agreed.

~~Leave of absence~~

Mr Stevens asked leave of absence for Mr Beckett ~~for~~ Excused

the balance of the session

Granted

Mr Young asked leave of absence for Mr Stark of Esmeralda for the balance of the session

Granted.

Mr Lannan from the standing Committee on Phraseology reported as correctly Engrossed the Article Entitled "Finance and Public Debt."

the application was
also called.

On motion of
~~Supervisor~~
Mr. Larrowe seconded
~~that~~ the Convention ~~do now~~
adjourn until 9 o'clock
a.m. tomorrow

Saturday Dec 5th 1868

The Convention met pursuant to adjournment at 10 oclock AM

Prayer by the Chaplain

On calling the Roll the following Delegates were present and the following Absent

1	AYE Mr. Alban,	NAY.
2	Mr Ball,	
	Mr Bechtel,	
3	Mr Brennan,	
	Mr. Bryan,	
4	Mr Chapin,	
	Mr. Collins	
5	Mr. Conner,	
	Mr. Covey,	
6	Mr. Dorsey,	
7	Mr. Eut.	
8	Mr. Epler,	
9	Mr Gibson,	
	Mr Haines,	
	Mr. Harrison,	
10	Mr Hickok,	
11	Mr. Hite,	
12	Mr. Hudson,	
13	Mr Ing,	
14	Mr Johnson,	
15	Mr Kennedy,	
16	Mr Kinkead,	
17	Mr. Larrowe,	
18	Mr McClure,	
19	Mr. Mitchell,	
20	Mr Nightingill,	
21	Mr Noteware,	
22	Mr. Plunkett,	
	~~Mr Potter,~~	
23	Mr Ralston,	
24	Mr. Shamp,	
25	Mr. Small,	
	Mr Stark,	
26	Mr. Sterns,	
~~2~~	Mr. Stewart,	
27	Mr. Virden,	
28	Mr. Wasson,	
29	Mr. Youngs,	
	[Mr. President]	
30	Mr. North.	

30.

The Journal of yesterday was read and approved.

Mr Larrowe ~~moved~~ that from the Standing Committee on Phraseology submitted the following report.

To the President of the convention

The undersigned - committee on Phraseology, &c, beg leave to make a partial report

They have compared the engrossed article on Miscellaneous Provisions, & the argument, and find the same correctly engrossed - - - -

They would recommend the insertion of the word "Judicial" after the word "executive" in the second line of the second section of said Article -

Also, the insertion of the word "to" after the word "subscribe" in the fifth line of said section

Also, the insertion of the words "of the State of Nevada" in the 29th line of said section, after the word "constitution"

M D Larrowe
Wm H Wicker

The report was accepted
& the several amendments
~~accepted~~ so recommended
(by the Committees) were
concurred in.

Mr Ralston moved that
the article be read a third
time forthwith

Agreed to.

The article coming up for a
~~third~~ Reading.

Mr Johnson moved to
re commit the article back
to the Standing Committee on
Miscellaneous provisions
with instructions to amend
the same by striking out
all of the Section but the
following words. viz
Sec 1. The Seat of Government
shall be at Carson City."

The question being on the
adoption of the motion to re-
commit

The Chair put the ques-
tion viva voce, being unable to determine. the Conven-
tion called for a call of the
Roll.

Read as follows: Mr Stewart raised the point of Order that the question, as to ~~as~~ at this time, was not in order, under the former ruling of the Chair, that any question on which the sense of the Convention had once been taken, could not subsequently be recommitted to a standing Committee.

The Chair decided that the point of order was taken too late inasmuch as the question had been once put, and consequently not well taken.

Mr Mitchell appealed from the decision of the Chair.

The question being shall the decision of the Chair stand as the judgment of the Convention

The Convention sustained the decision of the Chair by ~~by~~ on calling the Roll by the following vote

AYE.		NAY.
	Mr. Alban,	1
	Mr. Ball,	2
1	Mr. Bechtel,	
	Mr. Brosnan,	3
	Mr. Bryan,	
	Mr. Chapin,	4
	Mr. Collins	
	Mr. Conner,	5
	Mr. Co ey,	6
20	Mr. Dorsey,	7
2	Mr Eut.	
3	Mr. Ep'er,	
4	Mr Gibson,	
5	Mr. Haines,	
	Mr. Harrison,	
6	Mr. Hickok,	
	Mr. Hite,	8
	Mr Hudson,	9
7	Mr. Ing,	
8	Mr Johnson,	
	Mr. Kennedy,	10
9	Mr. Kinkead,	
10	Mr. Larrowe	

	YEAS	NAYS
	Mr. Bell,	2
1	Mr. Bucher,	
	Mr. [illegible]	3
	Mr. Byrne,	
	Mr. Clapp,	
	Mr. Collins,	
	Mr. Conner,	
	Mr. Covey,	6
20	Mr. Doss,	
2	Mr. Eat,	
3	Mr. Epler,	
4	Mr. Gibson,	
5	Mr. Haines,	
	Mr. Harrison,	
6	Mr. Hickok,	
	Mr. Hite,	8
	Mr. Hudson,	9
7	Mr. Ing,	
8	Mr. Johnson,	
	Mr. Kennedy,	10
9	Mr. Kinkead,	
10	Mr. Larrowe,	
11	Mr. McClure,	
	Mr. Mitchell,	11
12	Mr. Nightingill,	
13	Mr. Noteware,	
	Mr. Plunkett,	12
	~~Mr. Pulliam,~~	
	Mr. Ralston,	13
14	Mr. Shamp,	
15	Mr. Small,	
16	Mr. Stark,	
	Mr. Storm,	14
	Mr. Stewart,	15
~~17~~	Mr. Virden,	16
18	Mr. Wasson,	
19	Mr. Youngs,	
	(Mr. President.)	
	Mr. North.	
~~20~~		~~17~~
19		15

[illegible] question [illegible] on the adoption of Mr Clayton's motion to recommit with instructions

the same was adopted by the following vote

AYE		NAY.
	Mr Allen,	1
	Mr Ball,	2
1	Mr. Bedard,	
	Mr. Brosnan,	3
	Mr Bryan,	
	Mr Chapin,	2
	Mr. Collins	
	Mr Conner,	3
	Mr Co ey,	4
2	Mr. Dorsey.	
3	Mr. Ent.	
4	Mr. Ep'er,	
5	Mr Gibson,	
6	Mr Haines	
	~~Mr. Harrison~~,	
7	Mr. Hickok,	
	Mr. Hite,	5
	Mr Hudson,	6
8	Mr. Ing,	
9	Mr. Johnson,	
1	Mr. Kennedy,	7
10	Mr Kinkead,	
11	Mr Larrowe,	
12	Mr. McClure,	
	Mr. Mitchell,	8
1	Mr. Nightingill,	9
13	Mr Noteware,	
	Mr. Plunkett,	10
	Mr. Potter,	
1	Mr Ralston,	11
	Mr. Shamp,	12
14	Mr. Small,	
15	Mr. Stark,	
16	Mr. Sterns,	13
	Mr Stewart,	14
	Mr. Virden,	15
16	Mr. Wasson,	
17	Mr. Youngs,	
	[Mr President]	
18	Mr. North.	

Mr Stewart moved to ~~four~~ ~~thes~~ amend the motion to recommit ~~thes~~ by ~~adding~~ ~~thes~~ further instructing the Committee to add to the original Sec 1. the words "But no appropriations for the ~~election~~ erection or purchase of Capetal Buildings shall be made during the next six years."

On calling the Roll the motion was agreed to. by the following vote.

1	AYE.	Mr. Alban,	NAY
2		Mr Ball,	
		Mr Bechtel,	1
3		Mr Brosius,	
		Mr Bryce	
4		Mr Chapin,	
		Mr. Collins	
5		Mr. Conner,	
6		Mr Co ey,	
7		Mr. Dorsey,	
		Mr. Ent.	2
		Mr. Ep'er,	3
		Mr Gibson,	4
		Mr. Haines,	5
		[redacted],	
		Mr Hickok,	6
8		Mr. Hite,	
9		Mr Hudson,	
		Mr. Ing,	7
		Mr Johnson,	8
10		Mr. Kennedy,	
		Mr. Kinkead,	9
		Mr. Larrowe,	10
		Mr. McClure,	11
11		Mr. Mitchell,	
12		Mr. Nightingill,	
		Mr. Noteware,	12
13		Mr. Plunkett,	
		[redacted],	
14		Mr Ralston,	

tions for the [redacted] or purchase of Capitol Building shall be made according to the next resolve.

On calling the Roll the Chairman announced it to lay the following vote.

	AYE.	NAY.
1	Mr. Alban,	
2	Mr Ball,	
	Mr. Bechtel,	/
3	Mr. Brosnan,	
	Mr. Bryan,	
4	Mr [illegible],	
	Mr. Collins	
5	Mr. Conner,	
6	Mr. Co ey,	
7	Mr. Dorsey,	
	Mr. Ent.	2
	Mr. Epler,	3
	Mr. Gibson,	4
	Mr. Haines,	5
	[redacted]	
	Mr. Hickok,	6
8	Mr. Hite,	
9	Mr. Hudson,	
	Mr Ing,	7
	Mr. Johnson,	8
10	Mr Kennedy,	
	Mr. Kinkead,	9
	Mr. Larrowe,	10
	Mr. McClure,	11
11	Mr. Mitchell,	
12	Mr. Nightingill,	
	Mr. Noteware,	12
13	Mr. Plunkett,	
	[redacted],	
14	Mr. Ralston,	
18	Mr. Shamp,	
	Mr. Small,	13
	Mr. Stark,	14
15	Mr. Sterns,	
16	Mr. Stewart,	
17	Mr. Virden,	
	Mr. Wasson,	15
	Mr. Youngs,	16
	[Mr President]	
	Mr. North.	17
18		17

Mr Johnson moved to ~~amend the~~ further instruct the Committee to ~~report~~ add ~~to the~~ ~~Regulations~~ after the word "years" the follow

any words "to the effect that the present condition of the State shall justify the same at an earlier period."

On calling the Roll the motion was negatived by the following vote

	AYE.		NAY.
		Mr. Allan,	1
		Mr Ball,	2
		Mr. [illegible]chtel,	
		Mr. [illegible]rowe,	3
		Mr Bryan,	
		Mr. Chapin,	4
		Mr. Collins	
		Mr [illegible]ner,	5
		Mr. Co ey,	6
		Mr. Dorsey,	7
2		Mr. Ent.	
3		Mr. Epler,	
4		Mr Gibson,	
5		Mr. Haines.	
		[redacted],	
6		Mr. Hickok,	
		Mr. Hite,	8
		Mr. Hudson,	9
7		Mr. Ing,	
8		Mr. Johnson,	
		Mr. Kennedy,	10
9		Mr. Kinkead,	
10		Mr Larrowe,	
11		Mr. McClure,	
		Mr. Mitchell,	11
		Mr. Nightingill,	12
12		Mr. Noteware,	
		Mr Plunkett,	13
		[redacted],	
		Mr. Ralston,	14
		Mr. Shamp,	15
13		Mr. Small,	
14		Mr. Stark,	
		Mr. Sterns,	16
		Mr. Stewart,	17
		Mr. Virden,	18
15		Mr. Wasson,	
16		Mr. Youngs,	
		[Mr President]	
		Mr. North.	19

earlier.

room

The
mitted.
Intime On Lawrence
submitted the following
Report
Mr President
Your com
mittee on miscellaneous
resolutions to which was
recommitted the article
entitled Miscellaneous
resolutions with instruc
tions to amend the same
by striking out all after
the words "Causey St" & inserting
in lieu thereof the words

But no appropriations for the erection or purchase of Capital Buildings shall be made during the next six years."

have performed the duty they were instructed to perform and respectfully report the article back to the convention

M D Lamoure
Chm

The article was read the fallowes a third time.

ARTICLE

MISCELLANEOUS PROVISIONS.

1 SEC. 1 The seat of Government shall be at Carson City.

But no appropriations for the erection or purchase of Capital Buildings shall be made during the next six years.

Judicial

1 SEC. 2 Members of the Legislature and all officers, Executive and Ministerial, shall
2 before they enter upon the duties of their respective offices, take and subscribe the follow-
3 ing oath or affimation:
4 I do solemnly swear (or affirm) that I will support, protect and
5 defend the Constitution and Government of the United States, and the Constitution and Gov-
6 ernment of the State of Nevada against all enemies, whether domestic or foreign, and that
7 I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution, or law
8 of any State, Convention or Legislature to the contrary notwithstanding, and further, that
9 I do this with a full determination, pledge and purpose, without any mental reservation or
10 evasion whatsoever;

and, I do solemnly swear (or affirm as the case may be) that I have not fought a duel nor sent nor accepted a challenge for a duel nor been a second to either party nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge, or accepted since the adoption of the Constitution of the State of Nevada, and that I will not be so engaged or concerned directly or indirectly in or about any such duel, during my continuance in office

and further, that I will well and faithfully perform all the duties of

the office of on which I am about to enter; so help me God.

SEC. 3. No person shall be eligible to any office who is not a qualified elector. or who has fought or been in any manner concerned in a Duel since the adoption of this Constitution

SEC 4 Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments, shall be entered on their journals with the ayes and noes taken thereon and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice And if in the Legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people in such manner, and at such time as the Legislature shall prescribe, and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall become a part of the Constitution,

SEC 5 And if at any time, two-thirds of the Senate and Assembly shall think it necessary to revise and change this entire Constitution, they shall recommend to the electors at the next election for members of the Legislature to vote for or against the Convention, and if it shall appear that a majority of the electors voting at such election have voted in favor of calling a Convention, the Legislature shall at its next session provide by law for calling a Convention to be holden within six months after the passage of such law, and such Convention shall consist of a number of members not less than that of both branches of the Legislature.

This article having had three several readings was finally adopted ~~by the following~~ On calling the Roll by the following vote

1	AYE Mr Alban,	NAY.
2	Mr Ball,	
3	Mr Bechtel,	
4	Mr Brosnan,	
	Mr Bryan,	
5	Mr Chapin,	
	Mr Collins	
6	Mr Conner,	
7	Mr Covey,	
8	Mr. Dorsey,	
9	Mr Ent.	
10	Mr. Epler,	
11	Mr Gibson,	
12	Mr. Haines.	
	~~Mr. Harrison,~~	
7	Mr. Hickok,	
13	Mr. Hite,	
14	Mr. Hudson,	
15	Mr. Ing,	
16	Mr. Johnson,	
17	Mr. Kennedy	
18	Mr Kinkead,	
19	Mr. Larrowe,	
20	Mr. McClure,	
21	Mr. Mitchell,	
22	Mr. Nightingill,	
23	Mr. Noteware,	
24	Mr Plunkett,	
25	[redacted]	
	Mr. Ralston,	
26	Mr. Shamp,	
27	Mr. Small,	
28	Mr. Stark,	
29	Mr. Sterns,	

YE.		NAY
1	Mr Alban,	
2	Mr Ball,	
3	Mr. Bechtel,	
4	Mr. Crosman,	
	Mr. Bryan,	
5	Mr. Chapin,	
	Mr. Collins	
6	Mr. Conner,	
7	Mr. Covey,	
8	Mr. Dorsey,	
9	Mr. Ent	
10	Mr. Epler,	
11	Mr Gibson,	
12	Mr. Haines.	
	[redacted]	
7	Mr. Hickok,	
13	Mr. Hite,	
14	Mr. Hudson,	
15	Mr. Ing,	
16	Mr. Johnson,	
17	Mr. Kennedy	
18	Mr. Kinkead,	
19	Mr. Larrowe,	
20	Mr. McClure,	
21	Mr. Mitchell,	
22	Mr. Nightingill,	
23	Mr. Notcware,	
24	Mr Plunkett,	
	[redacted]	
25	Mr. Ralston,	
26	Mr. Shamp,	
27	Mr. Small,	
28	Mr. Stark,	
29	Mr. Sterns,	
[redacted]	Mr. Stewart,	
30	Mr. Virden,	
31	Mr. Wasson,	
32	Mr. Youngs,	
	[Mr. President]	
33	Mr. North.	

33

Mr Young moved that the rules be suspended and the resolution reconsidered

Mr Gibson moved by unanimous consent that motion

Agreed to

~~Mr Hoge~~ And the Article was ordered engrossed.

Mr Wapon from the select Committee on memorializing the Legislature of California relative to the Western Boundary submitted the following Memorial for the adoption of the Convention

To the Legislature of the State of California: Two years ago, in the infancy of our Territorial existence, we asked of your State that her Legislature should consent to the change of her eastern boundary, so that the *dividing line between* the the State and Territory should be the summit of the lofty mountains intervening between us. The fact that mountains are natural boundaries between States and Nations, induced Congress, in framing the Organic Act of our Territory, to fix that as the boundary line between us. It was apparent to you then petitioners, that the comfort and convenience of the two jurisdictions required the adoption of the line suggested in the Organic Act. Two years of experience have confirmed our then impressions, it is natural for all productions to follow the course of streams, where waters divide, trade always follows in their course, unless some great artificial mode of transportation turns nature from her course. Steep ascents and abrupt declivities are always avoided and shunned by trade, unless inevitable necessity compels it to overcome them. We ask again of your honorable body, that you should consent to this natural dividing line. The interests of the Territory and State are so naturally and mutually blended, that it seems to your memorialists it should not be refused. Our only production which we export, finds a resting place in the lap of California. The rich treasures of our mountains are compelled to find their way over this great barrier through your State to reach the arteries and veins of trade. They pause before passing the Golden Gate for refinement and finish in your hands; and from thence pass into the channels of trade as varied and wide as the world's commerce. Your memorialists would call the attention of your honorable body to the great efforts and expense resorted to by your State and our Territory to ascertain where the line of division really is, as established by the Constitution of your State. Mountain *hights*, and wide arid deserts, the frosts and snows of winter and the almost unendurable heat of summer, together with the absence of water over the long miles of sandy parched deserts, seem to forbid the completion of this labor. We would also call the attention of your State to the fact that more than eighty thousand dollars have been expended by the General Government to fix and establish your eastern boundary. This sum added to that recently expended by your State and this Territory would exceed one hundred thousand dollars, and yet the work is not completed, and when it is, under the arrangement existing, it is not in fact or in law binding upon either, for the reason that the General Government is not a party to the survey. For the purpose of avoiding further outlay, and making certain and permanent that which is essential to the peace, good order and prosperity of both State and Territory, we respectfully ask that the line asked by Congress may be granted to us. One of the chief reasons urged against granting the prayer of the former petitions was, that your State having obtained jurisdiction over the Territory asked to be granted to us by including it within the limits of your constitution, the Legislature had not the power to place any portion included back again into a territorial condition. Your memorialists fondly hope and expect that this objection will be answered fully by the time that this question is decided by your honorable body, by having passed from a territorial condition to the equality of a sister State. Your memorialists confidently suggest to your honorable body, that the Constitution of the United States provides for just such alterations of boundaries between States as asked for by them; but that, in forming a Constitution for the State of Nevada, they adopted the present eastern boundary of the State of California as the western boundary of Nevada, until such time as California shall relinquish the right of jurisdiction to that portion of the Territory of said State which lies east of the summit of the Sierras, in pursuance of the Act of Congress organizing Nevada Territory, which reads as follows:

"That all that part of the Territory of the United States included within the following limits, to-wit: Beginning at the point of intersection of the 42d degree of north latitude with the 39th degree of longitude west from Washington, thence running south on the line of said 39th degree of west longitude until it intersects the northern boundary line of the Territory of New Mexico; thence due west to the dividing ridge separating the waters of Carson Valley from those that flow into the Pacific; thence on said dividing ridge northerly to the 42d degree of north latitude; thence due north to the southern boundary line of the State of Oregon; thence due east to the place of beginning—be, and the same is hereby, erected into a temporary government by the name of the Territory of Nevada. *Provided*, that so much of the territory within the present limits of the State of California shall not be included within this Territory until the State of California shall assent to the same by an act irrevocable without the consent of the United States."

We submit that your honorable body has full power to grant the consent of California to the establishment of the proposed line. The Constitution of the United States, which is the supreme law of the land, expressly confers the power on the legislatures of the several States to change their boundaries with the consent of Congress. The language is as follows: (No. 1, Sec. 3, Art. 4, Constitution, etc.)—"New States may be admitted by Congress into this Union, but no new State shall be formed or created within the jurisdiction of any other State, nor any State be formed by the junction of two or more States or parts of States, without the consent of the legislatures of the States concerned, as well as of Congress." The Consent of Congress has already been given, as will be seen by the quotation from the organic act of Nevada. The only thing that remains to be done, is to obtain the consent of the Legislature of California. The Constitution of California must be then subject to the Constitution of the United States, for in all things where the Constitution of the United States has conferred upon Congress, or upon Congress in connection with the State legislatures, the power to pass laws, those laws are supreme—(See Art. 6, miscellaneous provisions, Constitution of the United States). We would further submit that on examination of authority it will be found that no question of power has ever been raised on the adjustment or alteration of boundary lines, when Congress or the interested States, by their Legislatures, have concurred. This doctrine has been maintained by the Legislature of California, and afterward in the able message of Governor Latham, when the southern counties of that State wished to form a separate government. We further submit that the consent of your honorable body will settle the question for all practicable purposes. If California should limit her county and district organizations to the sum-

[illegible] take into consideration the question of jurisdiction, for the judicial power of a State must follow the political; and the same principle would compel the Courts of Nevada to entertain jurisdiction to the agreed line. They further respectfully represent that States as well as individuals are requested to consult the convenience of whole communities, and are not at liberty to compel them to undergo hardships and fatigues in the discharge of their business pursuits, or to cross insuperable barriers for political associations or protection. The products of the Eastern Slope of the Sierras all find their markets in the valleys of Nevada, and in her mining towns the population all find their business associations with the people of Nevada; and your petitioners believe they with great unanimity desire to find their political associations with them. We further suggest that something is due to the suggestion of Congress upon this question. In looking over the geographical situation of this portion of our wide-spread domain, their eyes rested upon the eternal snows of this great natural boundary, and saw at a glance that a people inhabiting either slope would naturally seek association with and claim protection of the several governments with whom they were in daily communication, and that the safety of the citizen demanded such division. Your memorialists beg to suggest once more to your honorable body that circumstances, even at the time when the attention of your State was first called to this question, demonstrated the wisdom of Congress. The Winter of 1861 and '62 was remarkable for its severity, and the mountains, for months, were impassable for any kind of vehicle. At this critical moment alarming Indian difficulties appeared within the known and acknowledged limits of the State of California. Her citizens appealed to the State Government for protection, they asked arms for their defense; none could be furnished for the reason the channels of communication were blocked up. They had to be furnished both men and arms from the Territory, for the reason they were located on the eastern slope of the Sierras and not accessible from California. Your honorable body are not unaware of the effect of this uncertain and undefined boundary upon the revenue both to the State and Territory; it amounts to exemption almost from the burdens of taxation, the large amount of property located on the eastern slope of the mountains, thereby imposing heavier burdens on those residing on this belt of country; the trouble and expense of collecting taxes of any and all characters on this doubtful Territory amount to more than is realized. You will pardon us for suggesting, as an additional reason for granting our prayer, that the protection to life and property of our fellow citizens of both jurisdictions, absolutely requires it. Justice if delayed in her administration is often defeated. In the Winter season, when the snows on the mountains render them impassable, and the officers of the law, however willing and anxious they may be to perform their duties, are unable from these providential barriers intervening, and crime remains undetected, goes unpunished, the law brought into contempt and trampled under foot by these *terrors* to the peaceable and law abiding citizens.

Your memorialists entertain the opinion that the interests of both State and Territory will be greatly enhanced by such action as they ask on your part. Your State will, when this is done, be gigantic in her proportions, larger than most or any of her sister States, containing more elements of wealth than any of her older sisters, incomparably great in her mineral, agricultural and commercial wealth, and from the summit of the Sierras, your natural eastern boundary, to the sea, will cover more surface than many of the kingdoms of the Old World, and as large as any of your citizens can desire; besides, all will know and understand, citizen and stranger, as he traces the water courses, whether he is in California or Nevada. No uncertainty, if his rights are invaded to which to apply for redress. Your memorialists are not unaware, nor do they intend to disguise the fact, that the territory thus acquired will be of value to the Territory, and as such worthy of an effort to obtain. Still, above this, they regard it for its permanency and its certainty. They regard it as the most fitting monument—one placed there by the Almighty, so high that all may see from the distant plain, so strong and enduring that none can obliterate or destroy; its base rests on earth's center and its summits pierce the clouds. Grant our request, and you will make symmetrical what is not so now. You will comply with the request of our kindest of Governments, and the two States will clasp hands on the highest peaks, as sisters in peace, sisters in war—cemented by affection and bound indissolubly by the ties of common interests.

Mr Conner moved to refer the Memorial to the Committee on Phraseology.

Negatived

Mr Lawrence moved to lay the Memorial on the table

Negatived

Mr Hite moved that the Memorial be ~~read~~ finally read forthwith

agreed to.

Mr Patterson moved that the Memorial be read by title

agreed to and the same was read accordingly

On calling the Roll the memorial to California was adopted by the following vote -

1	AYE. Mr Allan,	NAY.
2	Mr Ball,	
	Mr. Bechtel,	
3	Mr Bosman,	
	Mr. Bryan,	
4	Mr Chapin,	
	Mr. Collins	
5	Mr. Conner,	
6	Mr. Covey,	
7	Mr Dorsey,	
8	Mr. Ent	
9	Mr Ep'er,	
10	Mr Gibson,	
11	Mr Haines.	
	~~Mr Hanson,~~	
12	~~Mr Hoke,~~	
13	Mr Hite,	
14	Mr Hudson,	
15	Mr Ing,	
16	Mr Johnson,	
17	Mr Kennedy,	
18	Mr Kinkead,	
20	Mr Lanhowe,	
21	Mr McClure,	
22	Mr Mitchell,	
23	Mr. Nightingill,	
24	Mr. Noteware,	
25	Mr. Plunkett,	
	~~Mr Potter,~~	
25	Mr. Ralston,	
26	Mr. Shamp,	
27	Mr. Small,	
	Mr. Stark,	
28	Mr. Sterns,	
	Mr. Stewart,	
28	Mr. Virden,	
29	Mr. Wasson,	
30	Mr. Youngs,	
	[Mr. President]	
31	Mr. North.	

3 Mr [illegible]gan,
Mr Hayen,
4 Mr Chapin,
Mr. Collins
5 Mr. Conner,
6 Mr. Co ey,
7 Mr Dorsey,
8 Mr Ent.
9 Mr. Epler,
10 Mr Gibson,
11 Mr Haines,
[redacted]
12 [redacted]
13 Mr Hite,
14 Mr Hudson,
15 Mr Ing,
16 Mr Johnson,
17 Mr. Kennedy,
18 Mr. Kinkead,
20 Mr. Larrowe,
21 Mr. McClure,
22 Mr. Mitchell,
23 Mr. Nightingill,
24 Mr. Noteware,
25 Mr Plunkett,
[redacted]
25 Mr Ralston,
26 Mr Shamp,
27 Mr Small,
Mr Stark,
28 Mr. Sterns,
Mr Stewart,
28 Mr. Virden,
29 Mr. Wasson,
30 Mr. Youngs,
[Mr President]
31 Mr. North.

Mr. Chapin from the Standing Committee on Seal of State submitted the following Report.

To the President and the Convention:
The Committee on State Seal, coat of arms &c beg leave to submit the enclosed drawing of a seal which is designed to represent the prominent characteristics and features of our new State which.

Seal.

In the foreground are two large mountains at the base of which is located on the right a Quartz mill, and on the left a tunnel penetrating the silver leads of the mountain with a miner running out a car load of ore to deposit at the dump. at which a team has loaded and started for the mill

a sheaf a plow and a
pickle.

In the back ground is seen
a range of mountains
and from a mountain gorge
is approaching (very slowly)
a train of Rail Road cars.

A telegraph line passes along
the side of the mountains
flashing news of "Rich
strikes" and more glorious
tidings of our victorious
union Armies

On the Eastern border
the rising sun typifies
the brilliant dawn of Nevada

Thirty four stars encircle
the whole group which
receive a silvery lustre
from this youngest star
of the Union.

Our committee propose the
adoption of our Territorial motto
"Volens et Potens" expressing the two ideas
of loyalty to the union & the wealth to
sustain it. All of which is respectfully submitted

Saml A Chapin Chairman
L O Sterns
A W Nightengale

The Report was accepted
& on motion of Mr Lawrence
laid on the table.

Mr Lawrence moved to make
the Report the Special Order
for 1 o'clock PM

Agreed to.

The article Entitled Finance
& Public Debt was on mo
tion taken up for a final
reading.

Mr Johnson moved to lay
the article on the table until
this P.M.

Agreed to.

The Chair of 12 M having
arrived pursuant to
rule the Convention took
a recess till 1 o'clock
PM

Adjourned.

The President of the Convention asked leave of absence for himself until Monday next at 1 Oclock PM.

Leave was granted.

The President pro tem Mr Ralston in the chair.

Mr Ball moved that the Article entitled Finance & Public Debt be taken up for a third Reading

Agreed to

By unanimous consent Mr Ball moved to amend the Article by inserting after the word "issued" in the 3d line of Sec 5 thereof the words. "for the payment of which there are no funds in the Treasury"

Agreed to. and the Article so amended was then read a third time as follows.

ARTICLE

FINANCE AND PUBLIC DEBT

SEC 1 The fiscal year shall commence January first

SEC 2 The Legislature shall provide for an annual tax sufficient to defray the estimated expenses of the State for each fiscal year, and whenever the expenses of any year shall exceed the income, the Legislature shall provide for levying a tax for the ensuing year sufficient with other sources of income to pay the deficiency, as well as the estimated expenses of such ensuing year.

SEC 3. For the purpose of enabling the State to transact its business upon a cash basis from its beginning or for the purpose of defraying extraordinary expenditures, the State may contract public debts but such debts shall never in the aggregate, exclusive of interest, exceed the sum of three hundred thousand dollars, provided, that the further amount of indebtedness authorized by article of this Constitution shall be deemed legal and valid whenever said debt shall be incurred in accordance with the provisions therein expressed, and said debt shall be private and independent of the State debt hereinbefore provided for. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein, and every such law shall provide for levying an annual tax sufficient to pay the annual interest and principal, within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the State, when all its debts and liabilities amount to said sum before mentioned shall be void and of no effect, except in cases of money borrowed to repel invasion suppress insurrection, defend the State in time of war or if hostilities be threatened provide for the public defense

SEC 4 The State shall never assume the debts of any County Town, City or other Corporation whatever, unless such debts have been created to repel invasion suppress insurrection, or defend the State in time of war.

SEC 5. No script certificate or other evidence of State debt whatsoever shall be issued, for the payment of which there are no funds on the Treasury except for such debts as are authorized by the third section of this article

	AYE.	NAY
1	Mr Allen,	
2	Mr Bell	
	Mr [illegible]	
3	Mr [illegible],	
	Mr. Brown,	
4	Mr Chapman	
	Mr. Chilton	
5	Mr Conner,	
	Mr. Cowan,	
6	Mr. Dorsey,	
7	Mr Ewl	
8	Mr Epler,	
9	Mr Gibson,	
10	Mr Hames,	
	~~Mr Hunter,~~	
11	Mr. Hickok,	
12	Mr. Hite,	
13	Mr Hudson,	
14	Mr Ing,	
15	Mr Johnson,	
16	Mr. Kennedy,	
17	Mr Kinkead,	
18	Mr. Larrowe,	
19	Mr McClure,	
20	Mr. Mitchell,	
21	Mr Nightingill,	
22	Mr. Noteware,	
23	Mr Plunkett,	
	~~Mr Potter,~~	
24	Mr Ralston.	
~~25~~	Mr. Shamp,	
	Mr. Small,	
	Mr. Stark,	
25	Mr Sterns,	
26	Mr. Stewart,	
27	Mr. Virden,	
	Mr. Wasson,	
28	Mr. Youngs,	
	[Mr. President]	
	Mr. North.	

On
adopt
Report of Engrossed
adopt
vote

Mr Johnson moved that ~~the~~
~~Article~~ part of the
Article Entitled Schedule
be taken from the table as
reported from the Committee
of the Whole Nov 28th
Agreed to
Mr Johnson moved that the
articles as reported be considered as
engrossed and read finally
for the
Agreed to by a 2/3rd Vote.
The article was then read
as follows

SEC. 1. That no inconvenience may arise by reason of a change from a Territorial to a permanent State government, it is declared that all rights, actions, prosecutions, judgments, claims and contracts as well of individuals, as of bodies corporate, shall continue as if no change had taken place, and all process which may issue under the authority of the Territory of Nevada, previous to its admission into the Union as one of the United States, shall be as valid as if issued in the name of the State of Nevada.

SEC. 2. All laws of the Territory of Nevada, in force at the time of the admission of this State, not repugnant to this Constitution, shall remain in force until they expire by their own limitations or be altered or repealed by the Legislature.

SEC. 3. All fines, penalties or forfeitures accruing to the Territory of Nevada, shall inure to the State of Nevada.

SEC. 4. All recognizances heretofore taken, or that may be taken before the change from a Territorial to a permanent State Government, shall remain binding and shall pass to, and may be prosecuted in the name of the State; and all bonds executed to the Governor of the Territory or to any other officer or Court in his or their official capacity, or to the people of the United States in the Territory of Nevada, shall pass to the Governor or such other officer or Court in his or their official capacity, for the uses therein respectively expressed, and may be sued for and recovered as the case may be. And all property, real, personal and mixed, and all property, choses in action, claims and debts of what ever description, shall vest in the public archives of the Territory of Nevada, shall pass to, and vest in the State of Nevada, and may be sued for and recovered in the same manner and to the same extent by the State of Nevada as the same could have been by the Territory of Nevada. All criminal prosecutions and penal actions which may have arisen, or which may arise before the change from a Territorial to a State Government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State. All offences committed against the laws of the Territory of Nevada before the change from a Territorial to a State Government, and which shall not be prosecuted before such change may be prosecuted in the name and by the authority of the State of Nevada with like effect as though such change had not taken place, and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law or suits in equity which may be pending in any of the Courts of the Territory of Nevada at the time of the change from a Territorial to a State Government may be transferred to any Court of the State which shall have jurisdiction of the subject thereof.

AYE.		NAY
2	Mr Ball,	
	Mr. Beckham,	
3	Mr. Brown,	
	Mr. Bryan.	
4	Mr. Chapin,	
	Mr. Collins	
5	Mr. Conner,	
	Mr. Covey,	
6	Mr. Dorsey,	
7	Mr. Dot.	
8	Mr. Epler,	
9	Mr Gibson,	
10	Mr. Haines,	
	~~Mr. Harrison,~~	
11	Mr. Hickok,	
12	Mr. Hite,	
13	Mr. Hudson,	
14	Mr. Ing,	
15	Mr. Johnson,	
16	Mr. Kennedy,	
17	Mr. Kinkead,	
18	Mr. Larrowe,	
19	Mr. McClure,	
20	Mr. Mitchell,	
21	Mr. Nightingill,	
22	Mr. Noteware,	
23	Mr Plunkett,	
	~~Mr. Potter,~~	
~~30~~	~~Mr. Ralston,~~	
	Mr. Shamp,	
24	Mr. Small,	
	Mr. Stark,	
25	Mr. Sterns,	
26	Mr. Stewart,	
27	Mr. Virden,	
28	Mr. Wasson,	
29	Mr. Youngs,	
30	[Mr President Porter	
	~~Mr. North.~~	

Mr Plunkett moved that the Convention do now adjourn to meet again at 2 oclock Pm on Monday next.

On calling the roll the motion was negatived by the following vote.

A/E.	Mr Albaa,	NAY
	Mr Ball,	1
	Mr Bechtel,	
	Mr Brosnan,	2
	Mr Bryan,	
	Mr Chapin,	24
	Mr. Collins	
	Mr Conner,	3
	Mr. Co.ey,	
3	Mr. Dorsey,	
4	Mr. Ent,	
	Mr Ep'er,	4
	Mr Gibson,	5
	Mr Haines	6
	~~Mr. Harrison,~~	
	Mr. Hickok,	7
	Mr. Hite,	8
	Mr Hudson,	9
	Mr Ing,	10
	Mr Johnson,	11
		15

motion, was agreed to and it
by the following vote:

1.	Mr. Allen,	Absent
	Mr. Ball,	1
	Mr. Bethel,	
	Mr. Brown,	2
	Mr. Bryan,	
	Mr. Chapin,	Absent
	Mr. Collins	
	Mr. Comer,	3
	Mr. Cowdy,	
3	Mr. Dent,	
4	Mr. Ent	
	Mr. Epes,	4
	Mr. Gibson,	5
	Mr. Hames,	6
	~~Mr. Harrison,~~	
	Mr. Hickok,	7
	Mr. Hite,	8
	Mr. Hudson,	9
	Mr. Ing,	10
	Mr. Johnson,	11
	Mr. Kennedy,	12
	Mr. Kinkead,	13
	Mr Larrowe,	14
	Mr McClure,	15
	Mr. Mitchell,	16
	Mr. Nightingill,	17
	Mr. Noteware,	18
	Mr Plunkett,	
	~~Mr. Potter,~~	
	~~Mr. Ralston,~~	
	Mr. Shamp,	
	Mr. Small,	19
	Mr. Stark,	
5	Mr. Sterns,	25
	Mr Stewart,	20
9	Mr. Virden,	
	Mr. Wasson,	21
	Mr. Youngs,	22.
	[Mr President, ~~Burton~~	23
	~~Mr. North.~~	

N 5
N 25

Absence
Leave
leaving
5.
that
a bill
concurs
Com
bill
upon
said
committee
is un
said
committee
report
thereon,
under
which
Article
adopted

Mr Ens asked leave of absence
till Monday next Leave
was Granted by the following
vote Ayes 23 Nays 5.
Mr Conner moved that
the memorials relative to the
Eastern & Western Boundaries
be referred to a select Com
mittee on Phraseology. Lee

Agreed to ~~by~~ yeas 14 nays 7
~~Mr Lawrence~~.
Mr Conner asked leave
of absence for himself for
~~the indefinite~~ ~~note passed~~ the balance
of the Session.
Leave was granted.
Mr Lawrence moved that
the Convention do now take
up ~~the the~~ part 2 of the
Article entitled Schedule
Agreed to.
Mr Ditto moved that the Convention
do now go into Com-
mittee of the Whole on said
article
Agreed to
The Convention in Committee
of the Whole Mr Young in
the Chair considered said
article
In time the Committee
rose & Mr Young report-
ed that the Committee
of the Whole had had under
Consideration ~~the article~~
~~entitled~~ part 2 of the Article
entitled "Schedule" had made

some progress therein had
having not gone thereunto
had ~~had~~ created thereto
[illegible] ~~the~~ ~~Act~~ of
that fact to the Convention
& ask leave to sit

Leave was granted.

On motion the Article
as reported was recom-
mitted to the standing
committee on Schedule.
for further amendment.
& further the Committee
were ordered to have the same
printed.

Mr. Brennan offered the
following Resolution.

[illegible]

Tuesday

[illegible]

adopted

Mr Kinkead Conner Rodman
Johnson. Ekler & Hickok
as a Special Committee
on Phraseology to consider
the Memorials relative to
the Eastern & Western Boun-
daries.

Mr Kinkead Conner moved
to take up the memorial
& Congress relative to the
Eastern Boundary line
of the State

Agreed to & the same
was read a 2nd time
on motion of Mr Kinkead
& referred to the Select
Committee for revision

~~Agreed to moved that~~

Mr Larrowe moved that
the Convention do now
consider the Report of the
Committee on State Seal.

~~Agreed to~~

Mr Hite moved that the
Convention do now adjourn
till 2 o'clock P.M. On
Monday

Negatived

Mr Kennedy moved that
the remaining Articles of
the Constitution as last
agreed to be inserted in
an pamphlet form.

Agreed to.

Mr Hite moved that the
Convention do now adjourn
till 10 O'clock AM on
Monday next.

Agreed to

and the Convention then
adjourned till 10 O'clock
AM Monday.

Monday 7th 1843

The Convention met at 10 o'clock
A.M. pursuant to adjournment
& prayer by the Chaplain

On calling the Roll the following Delegates were present and the following were absent

AYE.		NAY
	Mr Alban,	
	Mr. Balk,	
	Mr. Bechtel,	
	Mr. Bosman,	
	Mr. Bryan,	
	Mr. Chapin,	
	Mr. Collins	
7	Mr. Conner,	
	Mr Co.ey,	
	Mr. Dorsey,	
3	Mr. Ent.	
4	Mr. Ep'er,	
5	Mr Gibson,	
	Mr. Haines,	
	~~Mr. Harrison.~~	
6	Mr. Hickok,	
	Mr. Hite,	
	Mr. Hudson,	
	Mr. Ing,	
	Mr. Johnson,	
	Mr Kennedy,	
	Mr. Kinkead,	
	Mr. Lamowe,	
13	Mr. McClure,	
14	Mr. Mitchell,	
15	Mr. Nightingill,	
16	Mr. Noteware,	
17	Mr Plunkett,	
	~~Mr. Potter,~~	
	Mr. Ralston,	
	Mr. Shamp,	
18	Mr. Small,	
	Mr. Stark,	
	Mr. Sterns,	
	Mr. Stewart,	
20	Mr. Virden,	
	Mr. Wasson,	
	Mr. Youngs,	
	[Mr. President]	
	Mr. North.	

The Journal of Saturday was read and approved.

Mr Johnson submitted the following Report.

Mr President.

The undersigned, Committee on Schedule and Miscellaneous provisions beg leave to report — That they have incorporated into the draft of Schedule herewith presented all the instruction heretofore given them by the Convention, with such additional sections as seem to be proper for the adoption by the Convention, and which are within the scope of the duties of such Committee.

All of which is Respectfully Submitted,

Rufus Johnson

Chm

Sec 1 For the purpose of taking the vote of the electors of this Territory for the ratification or rejection of this Constitution an election shall be held in the several Counties of the Territory (at such places as may be designated by County Commissioners of each of the Counties respectively) on the first Tuesday of January A.D. 1864.

The Judges and inspectors of said election shall be appointed by such County Commissioners and the election shall be conducted as nearly as practicable in conformity with the existing laws of the Territory in relation to the holding of the general election - except as otherwise provided in this Constitution

Sec 2 Each elector shall express his opinion by depositing in the ballot box a ticket whereon shall be written or printed - Constitution "Yes" or Constitution "No" or such words as will distinctly convey the intention of the voter

Sec 3 of the Clerk of said election. The said Board of Canvassers shall carefully examine each and every return and forthwith make duplicate returns thereof to the Clerk of the Board of County Commissioners of their respective Counties; and said Clerk shall transmit an abstract of the same by the most safe and rapid conveyance to the Secretary of the Territory enclosed in an envelope marked "Election Returns."

Sec 4. Upon the receipt of said returns or within fifteen days after the election, if the returns be not sooner received, it shall be the duty of a Board of Canvassers to consist of the Secretary of the Territory and the President and Secretary of this Convention to canvass the returns of said Election in presence of all who may choose to attend and immediately publish an abstract of the same in one or more of the newspapers of the Territory of Nevada.

and the Governor of this District immediately after ascertaining the Constitution has been ratified by the people in pursuance of the proclamation of this fact, and thenceforth this Constitution shall be ordained and established as the Constitution of the State of Nevada.

Sec 5. A Copy of this Constitution certified to be correct by the President and Secretary of this Convention shall be published by them in one Newspaper in each County of this Territory (where a Newspaper is published) as soon as practicable after the final Adjournment of this Convention. Each President and Secretary shall forward a copy of this Constitution certified as aforesaid to the President of the United States. Presidents of the Senate, Speaker of the House of Representatives and the Delegate in Congress from this Territory

Sec 6 All Officers whose election or appointment is not otherwise provided for shall be elected or appointed as may be prescribed by Law.

Sec 7 The tenure of any office not herein provided for may be declared by Law. when not so declared such office shall be held during the pleasure of the Authority making the appointment; but the Legislature shall not create any office the tenure of which shall be longer than four years

Sec 8 The Governor, Secretary of State State Comptroller, and Clerk of the Supreme Court shall keep their respective offices at the seat of Government.

Sec 9. All debts and liabilities of the Territory of Nevada lawfully incurred and which remain unpaid at the time of the admission of this State into the Union, shall be assumed by and become the debt of the State of Nevada, Provided that an amount not exceeding the sum of Fifteen thousand dollars shall be assumed for such debts or liabilities contracted or incurred on and after the first Day of January A.D. 1864.

Sec 10 The Senators to be elected at the first election under this Constitution shall divide themselves by lot into two classes of the one half thereof. shall expire on the day succeeding the general election in A.D. 1864 and the term of the other half shall expire on the day succeeding the general election in A.D. 1866. ~~And all subsequent elections of Senators prior to the general election in A.D. 1865. shall be for two years and shall expire on the day succeeding the general election in A.D. 1866.~~ Provided that in drawing lots for all Senatorial terms. the Senatorial Representation shall be allotted so that the Counties having two or more Senators the terms thereof shall be divided as equally as may be, ~~divided~~ between the long and short terms.

Sec 11 At the general election in A.D. 1864 and thereafter the term of Senators shall be for four years from the day succeeding each general election and Members of Assembly for two years from the day succeeding each

general election ... after the ... of Senators, shall be allotted in long and short terms, as herein before provided: So that the one half thereof as nearly as may be, shall be elected every two years.

Sec 12 The term of Members of the Assembly elected at the first election under this Constitution shall expire on the day succeeding the general election in A.D. 1864

Sec 13 The first Session of the Legislature under this Constitution shall be held at such time after the admission of this State into the Union as the Executive of the State shall by his Proclamation direct. Provided such time shall not be less than twenty days nor exceed ing Sixty days after such admission.

Sec 14. The second regular session of the Legislature shall comven on the 1st Tuesday of January A.D. 1865. and thence after such regular

Sessions shall be held on the 1st Tuesday of January biennally &

Sec 15 The aggregate number of members of both branches of the Legislature shall never exceed Seventy five.

Sec 16 The term of State Officers elected at the first election under this Constitution shall expire on the 1st Monday of January A.D. 1865

Sec 17 No compensation shall be allowed to the Members of this Convention, nor to the Judges inspectors or clerks conducting the election in voting upon the Rejection or adoption of this Constitution.

Sec 18. All County township City and town officers (except Probate Judges) under the laws of the Territory of Nevada at the time when this Constitution shall take effect, and which offices are not inconsistent with the provisions of this Constitution, shall continue in office until their successors shall be elected and qualified. The time of such election and qualification shall be as provided by law, Provided that the time of such election shall not be first posed beyond the general election in A.D. 1864 and the qualification of such officers shall not exceed ~~twenty~~ days after such election.

the time of

Sec 19. of a majority of all the votes cast at said election shall be in favour of the Constitution, then that shall be an election held at the voting precincts established by the County Commissioners of their respective Counties (as provided in this Schedule) on the first Tuesday in ~~February~~ March A.D. 1864. for the election of members of the Legislature, of all State, district, and County officers, provided for in this Constitution; and for a Representative in Congress

Judges ~~Officers~~

Sec 20. Such election of officers and the canvass of votes, shall be conducted in the same manner as provided for in voting upon the rejection or adoption of this Constitution, and returns thereof made to the Clerk of the Board of County Commissioners of the respective Counties; and the said Clerk shall transmit an abstract of such returns of State and District Officers, and Representative in Congress to the Secretary of the Territory of Nevada

County Judges

declared in the manner prescribed in Section Eleven, and the same shall be canvassed in like manner and by such election and by the same Officers as herein provided, for the canvass of the votes upon the Constitution and said Officers shall issue certificates of election to the several Officers so ascertained to be elected.

Sec 21. Until otherwise provided by the Legislature, the apportionment of Senators and Assemblymen among the different Counties, shall be as follows:

	Senators:	Assemblymen
Douglas,	1	2
Esmeralda,	2	4
Humboldt,	1	2
Lander,	2	4
Lyon & Churchill,	2	3
Ormsby	2	3
Storey	4	12
Washoe & Roop	2	3

Sec. 22. The enumeration of the inhabitants of this State shall be taken under the direction of the legislature, in the year One Thousand Eight hundred and Fifty, five and one Thousand eight hundred and fifty Seven and one Thousand eight hundred and Seventy, five and every ten years thereafter; and these enumerations together with the Census that may be taken under the direction of the Congress of the United States in the year one thousand eight hundred and Seventy, and every Subsequent ten years, shall serve as the basis of representation in both houses of the Legislature.

Sec 23. A State Superintendent of public printing shall be elected at the same time and places and for the same term as the Governor. ~~And the~~ The duties and Compensation of such officer shall be fixed by law.

7
2

Sec 24 At the first Session of the Legislature convened
under the requirements of this Constitution Provi=
=sion shall be made by Law for the publica=
=tion of Six hundred Copies of the proceedings
of this Convention in book form, to be disposed of as
the Legislature may direct; And A. D.
Marsh one of the Reporters of this
Convention shall supervise the publication
of such proceedings. Provision shall
also be made by Law at such first Session
of the Legislature for the ~~payment~~ Compensation of the
Secretary ~~and~~ official Reporters of this
Convention for their Services respectively, and
they shall be paid in Coin: The rates of
Compensation shall be as follows- To the
Secretary fifteen dollars per day during
the Session of the Convention; ~~and~~ to the
official Reporters ~~per diem~~ forty Cents
per folio for reporting such proceedings
and preparing the same for publication, and
to A. D. Marsh for supervising such publication
the sum of fifteen dollars per day
during the time actually engaged in such
Service.

thereupon was duly made
Ordered printed

Mr Conner from the Select
Committee on Phraseology.
submitted the following report

To the President of the Convention

The Special Committe on Phraseology to
whom was referred the Memorials respecting the
Eastern and Western boundary of Nevada beg
leave to report that the Committe were necessitated
to transcend their strict line of duty in reference
to the Memorial to the Legislature of California
and make some slight alterations and corrections
in the construction of the sentences, while preser-
ving the substance and form of the original
document. The Committe in now submitting
their report desire further to say that the
Memorial has yet not a few, inelegancies of
expression which cannot well be corrected
without [redacted] a material remodelling
of the instrument, which the Committee did not
feel authorized to attempt

H. Conner

Chairman
of the Committe

To the Legislature
of the State of California

The Memorial of the Delegates assembled in the Territory of Nevada to form a State Constitution Respectfully Represents

That two years ago in the infancy of the Territorial existence of Nevada, her Citizens solicited the State of California through her then Legislature to Consent to a change of her Eastern boundary [redacted], so that the Summits of the lofty Mountains intervening should Constitute the dividing line between your State and our Territory

Mountains where they exist are Naturally appropriate boundaries between States and Nations and this acknowledged fact, we presume induced Congress in framing the Organic act of Nevada Territory to fix such as the boundary line between your and ourselves We believed then that the interest and Convenience of the two Jurisdictions required the adoption of the line designated in that organic act.

~~the line designated by that~~
~~Organic Act.~~ Two years of
experience (Since) have confirmed
our then impressions; and
therefore, the Citizens of Nevada,
your fellow Citizens in the bro-
therhood of a Common Country,
do again respectfully ask you
to Consent to this natural
dividing line. The interests
of this Territory and of your State are
so naturally blended, that it
seems to your memorialists ~~it~~ this request
should not be refused. The only
production we export — the rich
treasures of our mountains find
and always will, their way into
the lap of California, and
there receive refinement and
finish, before passing into those
Channels of trade wide and
varied as the Commerce of the
world.

Your memorialists would call' attention to the great efforts and large amount of money fruitlessly expended by both your State and our Territory to ascertain where the line of division really is as established by the Constitution of your State. Mountain heights and extensive deserts, the frosts and snows of Winter, and the almost unendurable heat of Summer together with the absence of water over those long miles of ~~sandy~~ ~~desolate~~ deserts seem to forbid the completion of this labor. We would also call the attention of your State to the fact, that more than Eight thousand dollars have been expended by the Genenal government to fix and establish your Eastern boundary. This sum added to that recently laid out by your State and this Territory would exceed one hundred thousand dollars, and yet the work is not completed; and if it were, still under the

arrangement existing, it would not in fact or in law be binding upon either, for the reason that the General Government was not a Party to the Survey.

For the Purpose then, of avoiding further outlay and making certain and Permanent that which is essential to the Peace good order and Prosperity of both State and Territory We respectfully ask that the above designated line may be established

One of the principal objections urged against our former request was that the Territory ~~[redacted]~~ which was the object of our desire having been included within the limits defined in the Constitution of California her Legislature had no Power to reduce any Portion thereof thus included to a Territorial Condition; but your Memorialists now hope and expect that this objection will be fully answered, at the time this question shall be determined by your Honorable body by our having Passed from such Territorial Condition to the equality of a Sovereign Sister State

Your Memorialists confidently suggest that the Constitution of the United States provides for just such alteration of boundaries between States as we ask: but in forming a Constitution for Nevada the State Convention adopted the present Eastern boundary line of California as the Western boundary of Nevada until such time as California shall relinquish the right of jurisdiction over that Portion of territory lying East of the Summit of the Sierras in pursuance of the Act of Congress Organizing Nevada Territory. See Laws of U.S. Statutes at Large Vol 12. Pge 209 Sec 1.

We submit that your Honorable body has full power to grant the Consent of California to the proposed line. Facts before remarked, the Constitution of the United States, which is the Supreme Law of the Land, expressly confers the power on the Legislatures of the several States to change their boundaries with the Consent of Congress. (See, Article 4, Section 3, Subdivision 1. U. S. Constitution.)

In this instance the Consent of Congress has been already given as will be seen by inspection of the Organic act of Nevada before quoted. Now all that is now necessary to be done is, to obtain the Consent of the Legislature of California. The Constitution of California is of Course subject to that of the United States; for in all things where the Constitution of the United States has conferred upon Congress in Connection with the State Legislatures, the power to pass laws those laws are Supreme.

We would further submit that on examination of authority it will be found that no question of power has ever been raised on the adjustment or alteration of boundary lines when Congress and the interested States by their legislatures have concurred. For all practicable purposes the adjustment in this case is simple. California needs only to limit her County and district organizations to the summit of the Mountains: Nevada will not ~~entertain jurisdiction~~ ~~entertain jurisdiction~~ beyond the line so agreed upon. ~~Limitation~~ ~~jurisdiction~~

Your Memorialists further respectfully represent that States as well as individuals ought to consult the Convenience of other Communities, and are not at liberty to compel them to undergo hardships, inconveniences and fatigues in their exercise of their business pursuits, nor to erect almost insurmountable barriers for political association or protection.

The Products of the Eastern slope of the Sierras find their Market in the valleys and Mining towns of Nevada, the Population of which rely for their business connection upon each other, and with unanimity desire, politically to have no other associations.

We submit that something is due to the suggestion of Congress upon this question

In looking over the geographical character of this portion of our wide spread domain their Minds dwelt upon the eternal Snows of this great Natural boundary: they understood that a people inhabiting either slope would Naturally seek association with, and claim Protection of the several Governments with whom they were in daily communication; and that the safety and well being of the Citizens demanded such division

Your Memorialists beg once more to suggest to your Honorable body that circumstances even at the time when the attention of your State was first called to this question, demonstrated the Wisdom of Congress.

The Winter of 1861+2 was remarkable for its severity, the mountains during months being impassable for any kind of Vehicle: at this Critical Period alarming Indian difficulties occurred within the known and acknowledged limits of the State of California Her Citizens appealed to the State Government for Protection; they asked Arms for their defense yet none could be furnished, for the reason that the Channels of Communication were blocked up. Men and Arms had to be furnished from our Territory

Your Honorable body cannot be unaware of the fact that the trouble and expense of collecting taxes on the Easterly slope of the Sierras, amount to more than is realized to the Revenue of our State thereby

You will pardon me for suggesting as an additional reason for granting our Prayer that the protection to life and property of our fellow Citizens of both California and Nevada absolutely requires it: Justice when delayed in administration is often defeated. During the Winter Season when the Snows on the Mountains render them impassable, the officers of the law however willing and anxious, are unable to perform their duties: the consequence is Crime remains undetected, and goes unpunished, the law is brought into Contempt, and trampled under foot

Your Memorialists [illegible]
the interests of both the State and Territory will be greatly enhanced by such action as they ask on your part. Your State will thereafter, as now, be gigantic in her Proportions; larger than most of any of her Sister States; incomparably great in her Mineral, Agricultural and Commercial wealth, and from the Summit [redacted] of the Sierras, by our Natural eastern boundary, to the sea will embrace more surface than many of the Kingdoms of the old World; besides all will know and understand Citizens and strangers as they trace the water Courses whether they are in California or Nevada, and no uncertainty will exist, as to where to apply for justice.

Your Memorialists are not unmindful of, nor do they intend to disguise the fact that the territory the People of Nevada are anxious to obtain will be an acquisition of [redacted] great importance in many Points of View; still beyond any of these they value the Summit boundary for its definiteness its Permanency and its immutability of Character. By acceding to our request your action will make Symmetrical what is now so, your will at the same time Comply with the recommendation of the General Government and unite the [redacted] States, California and Nevada in the bonds of an indissoluble interest and Amity

...ters this most fitting boundary erected
...Sun bam of the Almighty, so high that
...ee may see from the Atlantic Plain, so Strong
...and enduring that none can obliterate or destroy its
...base resting on earths Centre, its Summits
...piercing the Clouds, its two States can clasp
...hands, as Sisters in peace Sisters we ever
...Cemented by affection and bound inseverably
...by the ties of a common interest

The Report was accepted,

The vote on Saturday last adopting the same was on motion of Mr Wykoff reconsidered and on calling the Roll the Substitute as reported was again finally passed by the following vote

AYE.		NAY
	Mr Albar,	
	Mr Ball,	
	Mr Bechtel,	
1	Mr. Brosius,	
	Mr Bryan,	
	Mr Chapin,	
	Mr Collins	
3	Mr Conner,	
	Mr. Cooley,	
4	Mr Dorsey,	
5	Mr. Ent.	
6	Mr. Epler,	
7	Mr Gibson,	
	Mr. Haines,	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
9	Mr. Hite,	
10	Mr. Hudson,	
11	Mr. Ing,	
12	Mr. Johnson,	
13	Mr. Kennedy,	
	Mr. Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
16	Mr. Mitchell,	
17	Mr. Nightingill,	
	Mr. Noteware,	1
18	Mr. Plunkett,	
	~~Mr. Potter,~~	
	Mr. Ralston,	
	Mr Shamp,	
19	Mr. Small,	
	Mr. Stark,	
20	Mr. Sterns,	
	Mr. Stewart,	
21	Mr. Virden,	
22	Mr. Wasson,	
23	Mr. Youngs,	
	[Mr. President	pro tem (Ralston)

NAYS.

Mr. Allen,
Mr. Bell,
Mr. Bell,
Mr. Benton,
Mr. Bigler,
Mr. Chapin,
Mr. Collins
Mr. Conner,
Mr. Cooper,
Mr. Dana,
Mr. Fair
Mr. Fisher,
Mr. Gibson,
Mr. Haines,
~~Mr. Harrison,~~
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy.
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
~~Mr. Plunkett,~~
~~Mr. Potter,~~
Mr Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
~~Mr. Youngs,~~
[Mr. President protem (Ralston)
Mr. North.

Mr Lamoure from the
Standing Committee
on Phraseology and
submitted the following
Report

To the President of the Convention

The undersigned - committee on Phraseology, &c, beg leave to make a partial Report and herewith compared the several portions of the Schedule already engrossed, with the original, & find the same correctly engrossed, All which is respectfully submitted

M D Lamoure
Wm H Harden
Com. on Ph.

the Article Entitled Schedule
be recommitted to the
Standing Committee on Sched
ule with instructions
to amend the same by inserting
in my after the words "bodies corpo
rate" ~~including counties towns & cities~~ the words. "including
counties towns & cities" in the
6th line of Sec /.

Agreed to & the Article
was recommitted

Mr Larrone from the Standing
Committee ~~on Schedules~~ on
Schedule submitted the
following Report

Mr Friends

Your Standing
Committee on Schedule to which
recommitted the article
entitled Schedule with instruc
tions to amend the same
by inserting in the 6th line
of Sec. / after the words "bodies
Corporate" the words. "including
Counties towns & cities". report
the Article back to the Conven
tion amended in accordance

and the instructions of the Committee Mr D Larrowe Chm

The report was accepted.

Mr. Larrowe moved that ~~that~~ part of the article Entitled Schedule which was Engrossed be taken up for a final reading

Agreed to.

By Unanimous consent Mr Bracken moved to amend the 4th Sec. ~~by inserting~~ of said article by inserting between the words "transferred to" and "any Courts" the words "and determined by"

Agreed to and the Engrossed Article was ~~as~~ so amended.

Insert Art. 13

The Article as amended was ordered Engrossed read ~~a~~ finally; adopted on calling the Roll by the following vote

AYE		NAY
	Mr Alban,	
	Mr Ball,	
	Mr Bechtel,	
	~~Mr. Brotman,~~	
	Mr Bryan,	
	Mr. Chapin,	
	Mr. Collins	
2	Mr Conner,	
	Mr. Co.ey,	
3	Mr. Dorsey,	
4	Mr Ent	
5	Mr. Ep'er,	
6	Mr Gibson,	
	Mr. Haines.	
	~~Mr. Harrison,~~	
7	Mr. Hickok,	
8	Mr. Hite,	
9	Mr Hudson,	
10	Mr Ing,	
	~~Mr. Kennedy,~~	
	Mr. Kinkead,	
12	Mr. Larrowe,	
13	Mr. McClure,	
14	Mr. Mitchell,	
15	Mr. Nightingill,	
16	Mr. Noteware,	
17	Mr. Plunkett,	

AYE.		NAY.
	Mr. Allen,	
	Mr. Ball,	
	Mr. Bechtel,	
	Mr. Bowman,	
	Mr. Bryan,	
	Mr. Chapin,	
	Mr. Collins,	
2	Mr. Conner,	
	Mr. Covey,	
3	Mr. Dorsey,	
4	Mr. Ent,	
5	Mr. Epler,	
6	Mr. Gibson,	
	Mr. Haines,	
	~~Mr. Harrison,~~	
7	Mr. Hickok,	
8	Mr. Hite,	
9	Mr. Hudson,	
10	Mr. Ing,	
11	[illegible]	
	Mr. Kennedy,	
	Mr. Kinkead,	
12	Mr. Larrowe,	
13	Mr. McClure,	
14	Mr. Mitchell,	
15	Mr. Nightingill,	
16	Mr. Noteware,	
17	Mr. Plunkett,	
	~~Mr. Potter,~~	
	Mr. Ralston,	
	Mr. Shamp,	
18	Mr. Small,	
	Mr. Stark,	
19	Mr. Sterns,	
	Mr. Stewart,	
21	Mr. Virden,	
20	Mr. Wasson,	
22	Mr. Youngs,	
23	[Mr. President.]	Reuben Ralston
	Mr. North.	

with the instructions to the
Committee Mr D Lawrence
(Kent)
The report was accepted.
Mr. Lawrence moved that
~~the~~ that part of the
article entitled Schedule
which was engrossed be
taken up for a final read
ing
agreed to.
By unanimous consent Mr
Pearman moved to amend
the 4th Sec. ~~by inserting~~ of said
article by inserting between
the words "transferred to" and "any
Courts" the words "and deter-mined
by"
Agreed and the engrossed
article was ~~finally~~ amended.
as foregoing
The Article as amended was
read ~~a~~ finally, adopted, ordered engrossed
calling the Roll by the following
vote

Bill
passed
and.

AYE	Mr Alban,	NAY
	Mr Ball,	
	Mr Bechtel,	
1	Mr Bowie,	
	Mr Bryan,	
	Mr Chapin,	
	Mr. Collins	
2	Mr. Conner,	
	Mr Co.ey,	
3	Mr Dorsey,	
4	Mr Ent	
5	Mr Ep.er,	
6	Mr Gibson,	
	Mr Hamm	
	~~Mr. Harrison,~~	
7	Mr Hickok,	
8	Mr. Hite,	
9	Mr Hudson,	
10	Mr. Ing,	
11	M	
	Mr. Kennedy,	
	Mr. Kinkead,	

AYE.	Mr Ap	NAY
	Mr Ball	
	Mr Cochr	
	Mr [illegible]	
	Mr Bayard,	
	Mr. Chapin,	
	Mr Collier	
7	Mr Cornell,	
	Mr. Cro[illegible],	
3	Mr. Dorsey,	
4	Mr Fair	
5	Mr Epes,	
6	Mr Gibson,	
	Mr Hamil	
	Mr. Harris,	
7	Mr. Hickok,	
8	Mr. Hill,	
9	Mr. Hudson,	
10	Mr. Ing,	
11	[illegible]	
	Mr. Kennedy,	
	Mr. Kinkead,	
12	Mr Larrowe,	
13	Mr. McClure,	
14	Mr Mitchell,	
15	Mr. Nightingill,	
16	Mr. Noteware,	
17	Mr Plunkett,	
	~~Mr Potter,~~	
	Mr Ralston,	
	Mr Shamp,	
18	Mr Small,	
	Mr Stark,	
19	Mr. Sterns,	
	Mr. Stewart,	
21	Mr. Virden,	
20	Mr. Wasson,	
22	Mr. Youngs,	
23	[Mr. President] Mr. North.	

Resolutions relative to Reporting Debates

Resolution on Reporting Debates

Resolution relative to Reporting Debates

Resolution relative to Reporting Debates

Resolution relative to

Mr Larrowe from the Standing Committee on Phraseology and arrangement of Articles submitted the following report

To the President of the Convention

The undersigned - committee on Phraseology & arrangement of Constitution &c, Ask Leave to make the further Report

They recommend the following as the Order in which the respective Articles of the Constitution shall be arranged

Preamble.

Art 1. Declaration of Rights

2 " Right of Suffrage.

3 " Executive Department

4 " Legislative Department

5 " Judicial Department

6 " Impeachment & removal from office

7 " Municipal & other Corporations

8 " Finance & Public Debt

9 " Taxation

10 " Salaries

11 " Education

12 " Militia

13 " Boundary

14 " Miscellaneous Provisions

15 " Schedule.

~~[illegible]~~

The Report was accepted and adopted.

Subsequently by unanimous consent Mr Brannan moved to amend the Title of Article 8 by striking out the word "Public" & inserting in lieu thereof the word "State" before the word "Debt"

agreed to

Mr Larrowe moved that the ~~[illegible]~~ the Convention take up for consideration the Report of the Committee on Seal & C.

agreed to.

The Convention on motion of Mr Wolverine in the Chair

12.15. ~~resumed~~ considered said Report.

During the Committee rose & Mr Wolverine reported that

The Committee of the Whole had had under consideration the Report from the Standing Committee

upon seal of State had made some progress thereon that having not gone through therewith have directed their Chairman to report that fact to the Convention and ask leave to sit again.

Leave was granted the hour of 2 ~~P.M.~~ having hoped the ~~Pa~~ Convention pursuant to rule took a recess till 4 O'clock P.M.

Roll Call & Rm.
~~The Convention~~. President
North in the Chair

Mr Johnson. ~~from the~~ submit
ted the following report.
Mr President.

Your Committee on
the Legislative Department beg leave to
make the following additional Report
of Matters which have been heretofore
overlooked - and respectfully request
that the same be adopted under the
title of Public Institutions

Public institution

1 Institutions for the benefit of the Insane
blind, and deaf and dumb, and
such other benevolent institutions as the
Public good may require, shall be
fostered and supported by the State
subject to such regulations as may be
prescribed by law.

2. A (Young) ~~Penitentiary~~ State Prison shall
be established and maintained in such
manner as may be prescribed by law.
and provision may be made by law for the establishment and
maintenance of a house of refuge for juvenile offenders

3. The respective Counties of the State
shall provide, as may be prescribed
by law, for those inhabitants who, by reason
of age, infirmity or other misfortune, may
have claims upon the sympathy and aid
of Society.

All of which is respectfully

Johnson
Chm

the Report was adopted.

Mr Ralston moved that the Rules be suspended and the article read a second time by title

agreed to by a 2/3rd vote.

Mr Ralston moved that the Convention go into Committee of the Whole on the Article Entitled "Public Institutions"

agreed to.

The Convention in Committee of the Whole Mr Ing in the Chair considered the said article.

In time the committee rose & Mr. Ing reported that

The Committee of the Whole have had under consideration the article entitled "Public Institutions" have gone through thereunto have made some amendments thereto, and directed their Chairman to report the article back to the Convention and recommend its adoption ~~as recommended~~.

the Report was received & the article ordered engrossed for a third reading

Mr Johnson from the Standing Committee on Legislative department submitted the following report.

Mr President

The Standing Committee on Legislative Department submitted a further report & recommend its adoption. as follows, viz

Article — Distribution of Powers.

The Powers of the government of the State of Nevada shall be divided into three Separate departments — the Legislative, the Executive and judicial; and no Persons charged with the exercise of Powers properly belonging to one of these departments, shall exercise any functions appertaining to either of the others, except in the Cases hereinafter expressly directed or permitted —

All of which is respectfully submitted.

Chas D Young

Chm Legislative Dep't.

the report read a second time and agreed to.

Mr Ralston moved a suspension of the Rules that the article be read a second time, agreed to by 2/3rd vote

Mr Ralston moved that the ~~Consideration of the report of the Committee of the~~ Article Entitled "Distribution of Powers" be considered Engraved, and read a third time forthwith.

agreed to by a 2/3rd vote.

And the Bill was read a third time as follows.

Article.
Distribution of Powers.

Sec. 1 – The powers of the Government of the State of Grenada shall be divided into three separate Departments – the Legislature the Executive and Judicial: and no person charged with the exercise of powers properly belonging to one of these departments, shall exercise any functions appertaining to either of the others except in the cases hereinafter expressly directed or permitted.

	AYE.	NAY
1	Mr. Alb[illegible],	
	Mr. Pall,	
	Mr. Lecl[illegible],	
2	Mr. [illegible]an,	
	Mr. Bay[illegible]n,	
	Mr. Chapin,	
	Mr. Collins	
3	Mr. Conner,	
	Mr. Co[illegible]ey,	
4	Mr. Do[illegible],	
5	Mr. Eat[illegible]	
6	Mr. Ep[illegible]er,	
7	Mr Gibson,	
	Mr Haines,	
	~~Mr. [illegible]~~	
8	Mr. Hickok,	
9	Mr. Hite,	
10	Mr. Hud[illegible]	
11	Mr. Ing,	
12	Mr. Johnson,	
13	Mr. Kennedy,	
14	Mr. Kinkead,	
15	Mr. Larrowe,	
16	Mr. McClure,	
17	Mr. Mitchell,	
18	Mr. Nightingill,	
19	Mr. Noteware,	
20	Mr. Plunkett,	
	~~Mr. Potter,~~	
21	Mr. Ralston,	
	Mr. Shamp,	
22	Mr. Small,	
	Mr. Stark,	
23	Mr. Storns,	
24	Mr. Stewart,	
25	Mr. Virden,	
26	Mr. Wasson,	
27	Mr. Youngs,	
	[Mr. President:]	
28	Mr. North.	

Mr Larmore moved to con
sider the vote adopting the
order of arrangement of
the several articles of the
Constitution. this morning
agreed to

Mr Larmore moved that
the Articles entitled "the
Distribution of Powers" be
numbered "3" and the articles
following thereafter be numbered
accordingly.

Agreed to

Mr Johnson moved to amend
the said Order of arrange
ment by ~~making~~ numbering
the Article Entitled "Public
Institutions" as Ark 14. and the
succeeding articles numbered correspond
ingly.

Agreed to.

Mr Brannan moved that the article Entitled Miscellaneous provisions be amended by ~~striking~~ segregating therefrom so much thereof as relates to proposed amendments to the Constitution, and that the same be embodied in a new article & entitled, "Amendments"

Agreed to.

Mr Johnson offered the following Resolved that the Standing Committee on Phraseology & arrangement of the Constitution, be directed to arrange the several articles therein, according to the subjects matter thereof

Adopted

~~Mr Lawson submitted the~~

Mr Kennedy offered the following Resolution

Resolved that the pay of the following officers of this Convention shall be as follows. ~~the~~ Terminal Secretary

for Each day actual attendance. ~~as follows.~~

To the Engrossing clerk. $2 Dollars
" " Clerk of the Judiciary and
the Committees 15 Dollars
" " Sergt at arms $2 0 "
" " Chaplain 10 "
" " Porter 10 "
" " Assistant Porter 8 "
" Page 8 "

The Committee on Supplies are hereby authorized to draw the warrants for the above Salaries.

Mr Larrowe moved that this Resolution together with so much of the article on Miscellaneous Provisions as relates to the Compensation of the Secretary Official Reporters be referred to the Committee of the Whole.

Agreed to.

Mr Larrowe moved that the Convention do now go into Committee of the Whole on the aforesaid subjects

Agreed to

The Convention in Committee of the whole Mr Larmour in the Chair considered the said ~~Estimates~~ subjects

In time the Committee Rose & Mr Larmour reported that ~~the Com~~

The Committee of the whole had under consideration the ~~Estimates~~ Resolution relative to the compensation of Attachees, and incidental expences of the Convention. have ~~some thoroughly discussed~~ made some progress therein but having not gone through thereunto have directed their Chairman to report that fact to the Convention & ask leave to sit again.

Leave was granted.

Mr Nightingell moved that the Committee on Supplies and Expenditures be instructed to report the ~~total~~ expenditures. and Bills accrued against the Convention

Agreed to

Mr Lanza moved that the Convention go into Committee of the Whole on the Report of the standing Committee on "State Seal"

Agreed to

The Convention in Committee of the Whole Mr Noteware in the Chair resumed the consideration of the said Report.

In time the Committee rose & Mr Noteware reported that ~~the~~

the Committee of the Whole had had under consideration the Report of the Standing Committee on State Seal. ~~That they~~ have amended the same & ~~recommend~~ instructed their Chairman to recommend that the standing Committee on State Seal be directed to report an article for the constitution embodying a description of the Seal.

The Report was agreed to.

In accordance with the ~~instructions of the~~ recommendation of the Committee of the Whole the Committee on State seal were instructed to report an article

entitled "State Seal"

Mr Larrowe from the Standing Committee on Phraseology submitted the following Report

Mr President

Your Standing Committee on Phraseology respectfully report that they have compared the Engrossed Articles entitled "Distribution of Powers" and "Public Institutions" with the Originals & found the same correctly Engrossed.

M. D. Larrowe
Chairman

The Report was accepted.

Mr Johnson moved that the Article Entitled "Public Institutions be read ~~finally~~ a third time. for which

Agreed to

The Article was then read a third time as follows viz

Public Institutions

Sec 1. Institutions for the benefit of the insane blind and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the State subject to such regulations as may be prescribed by law.

Sec 2. A State Prison shall be established and maintained in such manner as may be prescribed by law, and provision may be made by law for the establishment and maintainance of a House of Refuge for Juvenile offenders.

Sec 3. The respective Counties of the State shall provide, as may be prescribed by law, for those inhabitants who, by reason of age, infirmity or other misfortune, may have claim upon the sympathy and aid of Society.

	YEA.	NAY.
	Mr. Alban,	
	Mr Ball,	
	~~Mr Becket~~	
2	Mr. Bowman,	
	Mr Bryan,	
	Mr. Chapin,	
	Mr Collins	
3	Mr Conner,	
	Mr Co ey,	
4	Mr. Dorsey,	
5	Mr. Ent	
6	Mr. Ep'er,	
7	Mr Gibson,	
	Mr Haines,	
	~~Mr. Harrison,~~	
8	Mr Hichok,	
	Mr Hite,	
9	Mr. Hudson,	
10	Mr. Ing,	
11	Mr Johnson,	
12	Mr Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
16	Mr. Mitchell,	
17	Mr. Nightingill,	
18	Mr. Noteware,	
19	Mr. Plunkett,	
	~~Mr Potter~~,	
20	Mr. Ralston,	
	Mr. Shamp,	
21	Mr. Small,	
	Mr. Stark,	
22	Mr. Sterns,	
	Mr. Stewart,	
23	Mr. Virden,	
24	Mr. Wasson,	
25	Mr. Youngs,	
	[Mr President]	
26	Mr. North.	

Affirm 26

Mr Kennedy moved that the Convention do now take a recess till 7 o'clock PM.

Agreed to

At 3.15 - O'clock PM the Convention took a recess till 7 o'clock PM

Mr Johnson moved that the Convention do now go into Committee of the Whole on the Schedule part 2:,

Mr Hite moved to amend so as to go into Committee of the Whole on so much of the Schedule part, 2. ~~as~~ as relates to the apportionment of Representation, ayes 14. Nays 10.

14. 10

Agreed to. and the original motion as amended was then agreed to.

18

ayes 18 nays 17.

The Convention in Committee of the Whole Mr Holeware in the Chair consider so much of said article as related to the apportionment of Representation.

In time the Committee ~~the~~ rose & Mr Holeware reported that

the Committee of the Whole had had under consideration so much of the article Entitled Schedule part 2. as related to the apportionment of Representation, as reported from the standing Committee on Schedule. have gone through

thereunto, have recommended the
same by fixing the number of
members of the Legislature do 54
apportioned them as follows

	SENATORS.	ASSEMBLYMEN:
Douglas,	one	~~two~~
Esmeralda,	two	four
Humboldt,	two	three
Lander,	two	~~four~~ three
Lyon & Churchill,	two	~~three~~ four.
Ormsby,	two	three
Storey,	four	twelve
Washoe, Roop	two	three

& directed their chairman to
report the same back to the Con
vention & ~~act~~ recommend
its concurrence therein.

The report was accepted
Mr Kitto moved that the action
of the Committee be concurred
in. Agreed to.

Mr Johnson asked leave of absence
for himself for tomorrow.

Granted

At 10 o'clock PM on motion
of Mr Lawrence the Convention
adjourned till 10 o'clock
AM tomorrow.

Twenty ninth Day
Tuesday Dec 8th 1863

The Convention met at 10 Oclock
A.M. pursuant to adjournment
Prayer by the Chaplain
On calling the Roll the following
Delegates were
Present

And the following
were absent

	AYE.	NAY.
	Mr. Albin,	
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr Bryan,	
	Mr. Chapin,	
	Mr. Collins	
3	Mr. Conner,	
	Mr. Cooley,	
	Mr. Dorsey,	
4	Mr. Ent	
5	Mr Epler,	
6	Mr Gibson,	
7	Mr. Hames,	
	~~Mr. Harrison~~,	
8	Mr. Hickok,	
9	Mr Hite,	
10	Mr. Hudson,	
11	Mr Ing,	
	Mr Johnson,	
12	Mr Kennedy,	
13	Mr Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
16	Mr. Mitchell,	
17	Mr. Nightingill,	
18	Mr. Noteware,	
19	Mr. Plunkett,	
	~~Mr. Potter~~,	
20	Mr Ralston,	
	Mr. Shamp,	
21	Mr. Small,	
	Mr. Stark,	
22	Mr. Sterns,	
	Mr. Stewart,	
23	Mr. Virden,	
24	Mr. Wasson,	
25	Mr. Youngs,	
	[Mr President]	
26	Mr. North.	

[illegible]

[illegible]

[illegible]

The memorial
[illegible] are read as follows

TO THE SENATE AND HOUSE OF REPRESENTATIVES IN CONGRESS ASSEMBLED.

The memorial of the delegates assembled in the Territory of Nevada to form a State Constitution Respectfully represents

That the Boundary of said Territory (or State of Nevada) should be changed so that the line seperating Nevada from Utah Territory shall pass from north to south on the 37th degree of longitude west of Washington That this division would be just to Nevada and to Utah Territories, making them about equal in superficial extent, and enabling each to form State governments of convenient size, but if the 38th degree of longitude falls within Utah Territory, it will leave Nevada of contracted dimensions and of much greater length than breadth That [illegible] to Nevada, is an uninhabited wilderness, with the exception of the way stations therein established by the United States Mail Company and a very few way stations on the South-ern route from Salt Lake City to Los Angeles That the line dividing Nevada and Utah Territories as at present established will be productive of serious inconveniences to the inhabitants upon the settlement of country adjacent thereto, by dividing said settlements skirting as it does in the Goose Creek Mountains, and extending south across other ranges of mountains interspersed throughout with numerous Valleys well supplied with wood, water and grass the acquisition of which is of much greater necessity to Nevada than to Utah, the latter Territory having an abundance of agricultural lands whilst the former contains but a very limited quantity whereas, if the line be removed one degree eastward, the inconvenience will be obviated the arable lands of Valleys remaining undivided, and an appropriate natural dividing line formed by the borders of an extensive alkali desert which can never be inhabited Your memorialists would therefore ask of your Honorable Bodies that a law be passed designating the 37th degree of longitude west from Washington, as the eastern boundary line of the Territory or State of Nevada And your memorialists as in duty bound will ever pray.

AYE.		NAY
	Mr. Alban,	
	Mr Ball,	
	Mr Bechtel,	
2	Mr Brosnen.	
	Mr. Bryan,	
	Mr Chapin,	
	Mr. Collins	
3	Mr. Conner,	
	Mr. Co ey,	
	Mr. Dorsey,	
	Mr. Ent	
4	Mr. Ep er,	
5	Mr Gibson,	
6	Mr Haines,	
	~~Mr. Hawkins,~~	
	Mr. Hickok,	
7	Mr. Hite,	
	Mr. Hudson,	
8	Mr. Ing,	
	Mr Johnson,	
9	Mr. Kennedy,	
10	Mr. Kinkead,	
11	Mr. Larrowe;	
12	Mr McClure,	
13	Mr. Mitchell,	
14	Mr. Nightingill,	
15	Mr Noteware,	
16	Mr Plunkett,	
	~~Mr. Potter,~~	
17	Mr. Ralston,	
18	Mr. Shamp,	
19	Mr. Small,	
	Mr. Stark,	
20	Mr. Sterns,	
	Mr. Stewart,	
21	Mr. Virden,	
~~22~~	Mr. Wasson,	22.
22	Mr. Youngs,	
	[Mr. President]	
23	Mr. North.	
	aff 22	
	Nay 1,	

Mr Larrowe moved that the Secretary be directed to transmit a copy of the memorial of Congress relative to the Eastern Boundary, to our Delegate in Congress with instructions to present the same to Congress until after the admission of Nevada as a State

Agreed to

Mr Jennings from the standing Committee on Supplies submitted the following report.

The Committee on Supplies having had the subject under consideration in accordance with the Instruction of the Convention, beg leave to respectfully Report, that the Amount of the Printers Bill as furnished by appointee in Territorial Suits ——— $1915-00

Bill of Attashe's — do — do — 2880-00

Incidental Expenses as furnished by the Sergeant at Arms, about 1200 00

the report does not include the Secretary of the Convention or the official Reporters of the same - all of which is respectfully submitted — Edmund Jennings Chairman

The Report was accepted and Committed to the Committee of the Whole.

Mr Lawrence moved that
the Convention do now go
into Committee of the
Whole on the Article Entitled
Schedule. Part-2.

Agreed to

The Convention in Committee
of the Whole Mr Nedeware in
the Chair considered said
Article

In time the Committee
rose & Mr Nedeware reported
that ~~the~~

The Committee of the Whole
had had under consideration
part 2 of the Article Entitled
Schedule. had made some
progress therein but having
not gone through the same de
had directed their Chairman
to report that fact to the
Convention & ask leave
to sit again

Leave was granted

Mr Lawrence moved that
~~the as~~ part 2nd of the Article
Entitled Schedule, be refer
red back to the Standing Com
mittee having that subject

1 Sec. 18 The term of members of the Assembly elected at the first election under
2 Constitution, shall expire on the day succeeding the general election

on charges, with instructions to amend the same. thought and report & recommend with the Revised ~~of the~~ Amendments made in Committee of the Whole

Agreed to

Mr President north asked leave of absence for the balance of the session for Mr Stamps of Muskogee

~~Agreed to~~ Granted.

Mr Landrum moved that the Convention do now take a recess ~~till~~

agreed to

And at 11.45 a m the Convention took a recess till 2 o'clock p m.

Copy of Ordinance

[illegible] hall thereof is held

1 Sec 18 The term of members of the Assembly elected at the first election under this
2 Constitution, shall expire on the day succeeding the general election in the year

The Convention went into Committee of the Whole Mr Roberts in the chair & considered Section 29 of the Report of Schedule, the article entitled Schedule relating to compensation of Secy Officers & Reporters & the Resolution relative to Compensation of Attachés & in time the Committee rose & Mr Roberts reported that the Committee of the Whole had under consideration Section 29 of the Report of Schedule & the second part of the article Entitled Schedule & the resolution relative to compensation of the other attachees. had made some progress therein but having not gone through thereon & have directed their Chairman to report that fact to the Convention & ask leave to sit again.

Leave was granted.

Mr. Kennedy moved that the Convention do now go into Committee of the Whole on the article Entitled Schedule. Part 2.

Agreed to.

The Convention in Committee of the Whole Mr Ralston in the Chair considered said article Part 2. In time the Committee rose & Mr Ralston reported that

one-fifth thereof as near

Sec. 18. The term of members of the Assembly

~~to the~~ committee was made
~~to~~ under consideration
~~to~~ part 2 of the Article entitled
Schedule. And ~~was~~ gone through therewith
have made some ~~no~~ amendment
~~to them but have not~~
~~thereto and~~
~~gone through them~~, ~~have~~
directed them Chairman
to report ~~that fact~~ the same
to the Convention & ~~ask leave to~~
~~sit again~~. Recommend its
adoption.

The report was accepted.
Pending the question on the adop
tion of the Report.
By unanimous consent
Mr Bowman offered the following
Resolved that the President
of this Convention appoint a
select committee of five whose
duty it shall be to look over the
Constitution and ascertain
what further provisions if
any are necessary to be in
corporated in the Constitu
tion & Report thereon on or
before 10 o'clock Am tomorrow
adopted.
The Chair announced Messrs
Bowman, Mitchell, Lamoue.

Sec 18. The term of [illegible]

Kennedy. & Kinkead. as such
select Committee.

Mr Lannon moved that
the Convention do now
adjourn till 10 Oclock
A.M. to morrow.

Agreed to

The Convention then adjourned
till 10 Oclock A.M. to mor-
row

Thirtieth Day

Wednesday Dec. 9th 1863

The Convention met at 10 Oclock

pursuant to adjournment.

Prayer by the Chaplain

On calling the Roll the follow

ing Delegates were

present

and the follow

ing absent

	AYE.		NAY
	1	Mr. Alban,	
		Mr. Ball,	
		Mr. Bechtel,	
	2	Mr. Brosnan,	
		Mr. Byron,	
		Mr. Chapin,	
		Mr. Collins	
	3	Mr Conner,	
		Mr. Cooley,	
		Mr. Dorsey,	
	4	Mr. Ent.	
	5	Mr. Epler,	
	6	Mr Gibson,	
	7	Mr Haines,	
		Mr. Harmon,	
	8	Mr. Hickok,	
	9	Mr Hite,	
	10	Mr. Hudson,	
	11	Mr. Ing,	
	12	Mr. Johnson,	
	13	Mr Kennedy,	
	14	Mr. Kinkead,	
	15	Mr. Larrowe,	
		Mr. McClure,	
	16	Mr. Mitchell,	
	17	Mr. Nightingill,	
	18	Mr. Noteware,	
	19	Mr. Plunkett,	
		Mr. Potter,	
	20	Mr Ralston,	
		Mr. Shamp,	
	21	Mr. Small,	
		Mr. Stark,	
	22	Mr. Sterns,	
		Mr. Stewart,	
	23	Mr. Virden,	
	24	Mr. Wasson,	
	25	Mr. Youngs,	
		[Mr President]	
		Mr. North.	

The Journal of yesterday was read and approved.

Mr Johnson asked leave of absence for Mr Ball of Storey for the balance of the week. Granted.

Mr Johnson rose to a question of privilege relative to a misrepresentation of this convention's action on the Pacific Rail Road question, in an Editorial in the Sacramento Union.

~~Referred and rejected~~

On motion of Mr Kinsey the ~~Rules~~ Rules were read a second time:

Mr Hite moved a suspension of the Rules, and that the sections be considered engrossed and read a third time forthwith.

Agreed to by 2/3rds vote.

Sec. ~~64~~ 61 of the article entitled Miscellaneous provisions was read a third time as follows

Sec 61" The General election shall be held on the Tuesday next after the first Monday of November"

"On calling the roll this new section to the article entitled Miscellaneous provisions was finally passed by the following vote

AYE.		NAY.
	Mr Alban,	
	Mr Ball,	
	Mr Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
	Mr Chapin,	
	Mr Collins	
3	Mr. Conner,	
	Mr Cosey,	
	Mr Dorsey,	
4	Mr. Ent	
5	Mr Epler,	
6	Mr Gibson,	
7	Mr. Haines	
7	~~Mr. Harrison,~~	
8	Mr. Hickok,	
9	Mr. Hite,	
10	Mr. Hudson,	
11	Mr. Ing,	
12	Mr. Johnson,	
13	Mr. Kennedy,	
14	Mr. Kinkead,	
15	Mr. Larrowe,	
	Mr. McClure,	
16	Mr. Mitchell,	
17	Mr. Nightingill,	
18	Mr. Noteware,	
19	Mr. Plunkett,	

Mr. Boetticher,
Mr. Brosnan,
Mr. Bryan,
Mr. Chapin,
Mr. Collins
Mr. Conner,
Mr. Covey,
Mr. Dorsey,
Mr. Ent.
Mr. Epler,
Mr Gibson,
Mr. Haines,
~~Mr. Harrison,~~
Mr. Hickok,
Mr. Hite,
Mr. Hudson,
Mr. Ing,
Mr. Johnson,
Mr. Kennedy,
Mr. Kinkead,
Mr. Larrowe,
Mr. McClure,
Mr. Mitchell,
Mr. Nightingill,
Mr. Noteware,
Mr. Plunkett,
~~Mr. Potter,~~
Mr. Ralston,
Mr. Shamp,
Mr. Small,
Mr. Stark,
Mr. Sterns,
Mr. Stewart,
Mr. Virden,
Mr. Wasson,
Mr. Youngs,
[Mr. President:]
Mr. North.

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rules no
time

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and
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States

consi
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may
follo

Mr Lar
of the
the sea
titled
consid

after
~~Dotson~~

and
y City
ber in
One
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of the
nited
?"
dditions
, to the
rule
, by the

the Report
hole on
rule En-
up for
tion

~~Ralston~~

Enter [illegible] Resolutions
of the Captials entitled Sched
[illegible] and read & stand
[illegible] as printed.

Done in Carson City
the day of December in
the year of Our Lord One
thousand Eight Hundred
and Sixty three. And of the
Independence of the United
States the Eighty Eighth."

On calling the roll this
concluding sentence & the
Article Entitled Schedule
was fully adopted by the
following vote.

AYE.		NAY
	Mr. Alban,	
	Mr. Ball,	
	Mr Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
	Mr. Chapin,	
	Mr. Collins	
3	Mr Conner,	
	Mr. Cooey,	
	Mr. Dorsey,	
4	Mr. Ent	
5	Mr. Ep'er,	
6	Mr Gibson,	
7	Mr. Haines,	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
9	Mr. Hite,	
10	Mr. Hudson,	
11	Mr Ing,	
12	Mr. Johnson,	
13	Mr Kennedy,	
14	Mr. Kinkead,	
15	Mr. Larrowe,	
	Mr. McClune,	
16	Mr. Mitchell,	
17	Mr. Nightingill,	
18	Mr. Noteware,	
19	Mr. Plunkett,	
	~~Mr. Potter,~~	
20	Mr. Ralston,	
	Mr. Shamp,	
21	Mr. Small,	
	Mr. Stark,	
22	Mr. Sterns,	
	Mr. Stewart,	
23	Mr. Virden,	
24	Mr. Wasson,	
25	Mr. Youngs,	
	[Mr. President.]	
26	Mr. North.	

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~~After~~
~~Johns~~

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~~Ralston~~

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follow

Mr Lamar moved that the Report of the Committee of the Whole on the second part of the article Entitled Schedule; be taken up for consideration and adoption

agreed to

~~After debate by Messrs Robertson & Johnson~~

The question being upon agreeing to the amendment of the Committee of the Whole. the same was declared carried by Mekra Rabelon & Johnson.

At 2 o'clock P.M. On motion of Mr. Lamore. the Convention took a recess till 2 o'clock P.M

---

1 o'clock P.M.

The question pending being the adoption of the Report of the Committee of the Whole on the second part of the Article entitled Schedule & the several amendments offered Committee thereto the amendments to Section five, amending the said section so as to read as following viz

Sec 5. For the purpose of taking the vote of the Electors of this Territory for the ratification or rejection of this Constitution (and for the Election of all State officers, Supreme Justices & County Judges. Members

of the Legislature and Repre
sentative in Congress.

the

2 the ratification or rejection of this Constitution, an election shall be held in
3 the several counties of the Territory, (at such places as may be designated by
4 Commissioners of each of the counties, respectively,) on the ~~first~~ Tuesday of
5 January, A. D. 1864. The judges and inspectors of said election shall be ap-
6 pointed by such County Commissioners, and the election shall be conducted as
7 nearly as practicable in conformity with the existing laws of the Territory, in re-
8 lation to the holding of the general election—except as otherwise provided in
9 this Constitution.

third

Was on calling the Roll
~~to~~ concurred in by the
following vote

AYE.		NAY.
	Mr. Alban,	
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr. Conner,	
	Mr. Covey,	
	Mr Dorsey,	
5	Mr. Ent.	
6	Mr. Epler,	
7	Mr Gibson,	
24	Mr. Haines,	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
9	Mr. Hite,	
10	Mr. Hudson,	
11	Mr. Ing,	
	Mr. Johnson,	1
12	Mr. Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
16	Mr. Mitchell,	
17	Mr. Nightingill,	
	Mr. Noteware,	2
18	Mr. Plunkett,	
	~~Mr. Potter,~~	
	Mr. Ralston,	3
	Mr. Shamp,	
19	Mr. Small,	
	Mr. Stark,	
20	Mr. Sterns,	
	Mr. Stewart,	4
21	Mr. Virden,	
	Mr. Wasson,	5
22	Mr. Youngs,	
	[Mr President]	
23	Mr. North.	
	Aye 25	
	Nay 5	

1 Sec. 6 Each

the ratification or
the several counties
Commissioners of e
January, A. D. 186
pointed by such Co
nearly as practicabl
lation to the holdi
this Constitution.

Sec. 6. Each
box, a ticket whe
stitution "No," or such words as will distinctly convey the intention of the
voter.

Sec. 7. At the close of the election, the judges and inspectors shall carefully count each ballot, and forthwith make duplicate returns thereof to the Clerk of the Board of County Commissioners of their respective counties, and said Clerk shall transmit an abstract of the same by the most safe and rapid conveyance to the Secretary of the Territory, enclosed in an envelope, marked "election returns"

Sec. 8. Upon the receipt of said returns, or within fifteen days after the election, if the returns be not sooner received, it shall be the duty of a Board of Canvassers, to consist of the Secretary of the Territory, and the President and Secretary of this Convention, to canvass the returns of said election, in presence of all who may choose to attend, and immediately publish an abstract of the same, in one or more of the newspapers of the Territory of Nevada. And the Governor of this Territory shall immediately after ascertaining that the Constitution has been ratified by the people, make proclamation of the fact, and of the State and other officers elected.

and thenceforth this Constitution shall be ordained and established as the Constitution of the State of Nevada.

Sec. 9 At the time of the submission of this Constitution to a vote of the people, there shall be elected all the State officers, Judges of the Supreme, District and County Courts, a Clerk of the Supreme Court, members of the Legislature, and a Representative in Congress Until otherwise provided by the Legislature, the apportionment of Senators and Assemblymen among the different counties, shall be as follows:

	SENATORS:	ASSEMBLYMEN.
Douglas,	One	two
Esmeralda,	two	four
Humboldt,	two	three
Lander,	two	three
Lyon & Churchill,	two	four
Ormsby,	two	three
Storey,	four	twelve
Washoe, Roop	two	three

Mr Lawrence moved to amend the report of the Committee by striking out the first words reading as follows:

At the time of the submission of this Constitution to a vote of the people, there shall be elected all the State officers, Judges of the Supreme, District and County Courts; a Clerk of the Supreme Court, members of the Legislature, and a Representative in Congress

Agreed to ~~as amended~~ and the amendment of the Committee of the Whole as amended by the Convention was then Concurred in.

The Committee of the Whole having made a further amendment by the insertion of new Section as follows

Section 2. The Constitution shall be ratified by the People, the President of the Convention shall, within twenty days after the result of the Election shall be declared convene the Legislature for the purpose of electing two United States Senators.

Mr Kite moved to amend the Report by striking out the word "twenty" and inserting "thirty".

Agreed to unanimously & On calling the Roll the amendment of Mr. was adopted by the following vote.

AYE.		NAY.
	Mr. Alban,	
	Mr Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr. Conner,	
	Mr. Cozey,	
	Mr. Dorsey,	
5	Mr. Eut.	
6	Mr Ep'er,	
7	Mr Gibson,	
8	Mr Haines,	
	~~Mr. Harrison,~~	
9	Mr. Hickok,	
10	Mr. Hite,	
11	Mr Hudson,	
12	Mr. Ing,	
	Mr. Johnson,	1
13	Mr. Kennedy,	
14	Mr. Kinkead,	
15	Mr. Larrowe,	
16	Mr. McClure,	
17	Mr. Mitchell,	
18	Mr. Nightingill,	
	Mr. Noteware,	2
19	Mr Plunkett,	
	~~Mr. Potter,~~	
	Mr. Ralston,	3
	Mr. Shamp,	
20	Mr. Small,	
	Mr. Stark,	
21	Mr. Eterns,	
	Mr. Stewart,	4
22	Mr. Virden,	
	Mr. Wasson,	5
23	Mr. Youngs,	
	[Mr. President.]	
7	Mr. North.	

The following sections were reported as agreed upon without amendment

Sec 5. A copy of this Constitution certified to be correct by the President and Secretary of this Convention, shall be published by them in one newspaper in each county of this Territory, (where a newspaper is published,) as soon as practicable after the final adjournment of this Convention. Such President and Secretary shall forward a copy of this Constitution, certified as aforesaid, to the President of the United States, President of the Senate, Speaker of the House of Representatives and the Delegate in Congress from this Territory.

Sec 6. All officers whose election or appointment is not otherwise provided for shall be chosen or appointed as may be prescribed by law.

Sec. 7. The tenure of any office not herein provided for may be declared by law or when not so declared, such office shall be held during the pleasure of the authority making the appointment, but the Legislature shall not create any office the tenure of which shall be longer than four years.

Sec. 8. The Governor, Secretary of State, State Controller, and Clerk of the Supreme Court, shall keep their respective offices at the seat of Government.

The Committee leaving ~~the report~~ amended ~~the following~~ section 15 by striking out the proviso, so as to read as follows

Sec 15 All debts and liabilities of the Territory of Nevada lawfully incurred, and which remain unpaid at the time of the admission of this State into the Union, shall be assumed by and become the debt of the State of Nevada;

Mr Kinkead moved to amend the report by adding the to the section the following

twenty

Provided, that an amount not exceeding the sum of ~~fifteen~~ thousand dollars shall be assumed for such debts or liabilities contracted or incurred on and after the first day of January, A. D., 1864

which was agreed to. ~~and~~

The hour of ½ past 12 o'clock P.M. having arrived the Convention took a recess till 7 o'clock P.M.

7 o'clock P.M.

On Motion President pro tem on the chair

The consideration of the Report of the Committee of the Whole on the Article entitled Schedule was again resumed.

Sections 16, 17, & 18. having not been amended were passed as follows.

Sec 16 The Senators to be elected at the first election under this Constitution, shall draw lots so that the term of the one half thereof shall expire on the day succeeding the general election in A. D., 1861, and the term of the other half shall expire on the day succeeding the general election in A. D., 1863: Provided, that in drawing lots for all Senatorial terms, the Senatorial Representation shall be allotted so that the counties having two or more Senators, the terms thereof shall be divided as equally as may be between the long and short terms

Sec 17 At the general election in A. D. 1861, and thereafter the term of Senators shall be for four years from the day succeeding each general election, and members of Assembly for two years from the day succeeding each general election, and the terms of Senators shall be allotted in long and short terms, as herein, before provided; so that the one half thereof as nearly as may be shall be elected every two years.

Sec. 18 The term of members of the Assembly elected at the first election under this Constitution shall expire on the day succeeding the general

The Committee of the Whole having amended Sec 19 as regular as to read as follows.

Sec. 19. The first session of the Legislature under this Constitution shall be held at such time after the admission of this State into the Union as the Governor of the State shall by his proclamation direct or appoint, such time to be not less than twenty days nor exceeding sixty days after the ratification.

The Amendments concurred in

The Committee of the Whole having amended Sec 20 as as follows.

Sec. 20. The second regular session of the Legislature shall convene on the first Tuesday of January A. D., 1865, and such regular sessions shall be held on the 1st Tuesday of January biennially. thereafter

The same was concurred in by the Committee having stricken out the following sections with the recommendation that they be ~~concurred~~ incorporated in the Article entitled Miscellaneous provisions towit

Sec. ~~7~~ The aggregate number of members of both branches of the Legislature shall never exceed seventy-five.

Sec. ~~24~~ The term of State officers elected under this Constitution shall expire on the first Monday of January A. D., 1865.

The Amendment was concurred in

The Committee of the Whole having stricken out the following section

Sec. ~~25~~ No compensation shall be allowed to the members of this Convention, nor to the Judges, Inspectors or Clerks conducting the election in voting upon the rejection or adoption of this Constitution.

Mr Johnson ~~moved to amend~~ called for a division of the question, so as to take the question first on all of the Section after the word Convention; and afterwards on the first part & including the word Convention.

The question first recurring on agreeing to the amendment of the Committee of the Whole per striking out all after the word "Convention"

On calling the Roll the same was agreed to by the following vote

AYE.		NAY.
	Mr. Alban,	
	Mr Ball,	
	Mr. Bechtel,	
2	Mr Brosnan,	
	Mr. Bryan,	
3	Mr. Chapin,	
	Mr Collins	
4	Mr. Conner,	
	Mr. Co.ey,	
	Mr. Dorsey,	
5	Mr. Ent.	
	Mr. Ep'er,	
6	Mr Gibson,	
7	~~Mr Haines,~~	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
9	Mr. Hite,	
10	Mr. Hudson,	
11	Mr. Ing,	
12	Mr. Johnson,	
13	Mr. Kennedy,	
14	Mr. Kinkead,	
15	Mr. Larrowe,	
16	Mr McClure,	
17	Mr. Mitchell,	
18	Mr. Nightingill,	
19	Mr. Noteware,	
20	Mr. Plunkett,	
	~~Mr. Potter,~~	
2	Mr. Ralston,	
-	Mr. Shamp,	
21	Mr. Small,	
	Mr. Stark,	
22	Mr. Sterns,	
23	Mr. Stewart,	
24	Mr. Virden,	
25	Mr. Wasson,	
26	Mr. Youngs,	
27	[Mr. President]	
	Mr. North.	
1	Ayes 27	
	Nays 1	

[redacted]

[illegible] called question first on all Mord C on the the Nor

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[illegible] question [illegible] the [illegible] thereunto [illegible]

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The question then recurring on agreeing to strike out the first part of said section

On calling the Roll the same was agreed to by the following vote.

	AYE.		NAY.
1		Mr. Alban,	
		Mr Ball,	
		Mr. Beehtel,	
2		Mr Brosnan,	
		Mr. Bryan,	
3		Mr. Chapin,	
		Mr. Collins,	
4		Mr. Council,	
		Mr. Co ey,	
		Mr Dorsey,	
5		Mr. Ent	
		Mr. Ep'er,	
		Mr Gibson,	1
6		Mr. Haines.	
		~~Mr. Harrison,~~	
7		Mr. Hickok,	
8		Mr. Hite,	
9		Mr. Hudson,	
10		Mr. Ing,	

Sec 21. having been amended in C.W. by so as to read as follows.

(officers except Probate Judges and all)

1 Sec 21. All County, Township, City and Town officers ~~except Probate Judges~~ under
2 the laws of the Territory of Nevada at the time when this Constitution shall take effect,
3 and which offices are not inconsistent with the provisions of this Constitution, shall con-
4 tinue in office until their successors shall be elected and qualified The time of such elec-
5 tion and qualification shall be as prescribed by law: ~~provided that the time of such elec-~~
6 ~~tion~~ shall not be postponed beyond the general election in A. D 1864, and ~~the time of~~
7 ~~the qualification of~~ such officers shall ~~not exceed thirty~~ days after such election.

but

(qualify within twenty) (a notification of)

Mr Noteware moved to amend the report by striking out all after the word "prescribed" in the line and inserting in lieu thereof the words "for the election and qualification of State officers herein and members of Congress as herein provided"

On calling the roll the motion to amend the report was negatived by the following vote.

AYE.		NAY.
	Mr. Alban,	1
	Mr. Ball,	
	Mr. Bechtel,	
	Mr. Brosnan,	2
	Mr. Bryan,	
	Mr. Chapin,	3
	Mr. Collins	
	Mr. Connel,	4
	Mr. Corey,	
	Mr. Dorsey,	
	Mr. Ent	5
	Mr. Ep'er,	
	Mr Gibson,	6
	Mr. Haines,	7
	~~Mr. Harrison,~~	
	Mr. Hickok,	8
	Mr. Hite,	9
	Mr. Hudson,	10
	Mr. Ing,	11
	Mr. Johnson,	
	Mr. Konnedy,	12
	Mr. Kinkead,	13
	Mr. Larrowe,	14
	Mr. McClure,	15
	Mr. Mitchell,	16
	Mr. Nightingill,	17
2	Mr. Noteware,	
	Mr. Plunkett,	18
	~~Mr. Potter,~~	
	Mr. Ralston,	19

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and the amendments of the
C.M. to the section were
then concurred in.

The Com. W. having amended the article by striking out the following relative to

Sec. If a majority of all the votes cast at such election shall be in favor of the Constitution, then there shall be an election held at the voting precincts established by the County Commissioners of their respective counties (as provided in this Schedule) on the first Tuesday in February A. D. 1864, for the election of members of the Legislature, of all State and District officers and County Judges, provided for in this Constitution, and for a Representative in Congress.

Sec. Such election of officers, and the canvass of votes shall, be conducted in the same manner as provided for in voting upon the rejection or adoption of this Constitution and returns thereof made to the Clerk of the Board of County Commissioners of the respective counties; and the said Clerk shall transmit an abstract of such returns of State and District officers, County Judges and Representatives in Congress, to the Secretary of the Territory of Nevada enclosed in an envelope marked "election returns," and the same shall be canvassed within the time after such election, and by the same officers as herein provided for the canvass of the votes upon the Constitution, and said officers shall issue certificates of election to the several officers so as aforesaid to be elected.

The amendments were concurred in.

The Com. W. having amended Sec's 22 & 23 so as to read as follows made no

~~Sec. 22~~ They will ~~hereafter~~ read as follows

Sec. 22 The enumeration of the inhabitants of this State shall be taken under the direction of the Legislature in the year 1861, and 1867, and 1875, and every ten years thereafter, and these enumerations together with the census that may be taken under the direction of the Congress of the United States in the year 1870, and every subsequent ten years shall serve as the basis of representation in both houses of the legislature.

Sec. 23 A State Superintendent of Public Printing shall be elected at the same time and places, and for the same term as the Governor. The duties and compensation of such office shall be fixed by law.

The Committee of the Whole having amended Sec 24 so as to read as follows

Sec. 24 At the first session of the Legislature to convene under the requirements of this Constitution, provision shall be made by law for the publication of six hundred copies of the proceedings of this Convention in book form, to be disposed of as the Legislature may direct; and A. J. Marsh, one of the Reporters of this Convention, shall supervise the publication of such proceedings. Provision shall be made by law at such first session of the Legislature for the compensation of the ~~Secretary and officers;~~ Reporters of this Convention for their services respectively; and they shall be paid in coin. The rates of compensation shall be as follows ~~To the Secretary, fifteen dollars per day during the session of the Convention.~~ To the official Reporters jointly, forty cents per folio for reporting the same for publication, and to A. J. Marsh for supervising such publication, the sum of fifteen dollars per day during the time actually engaged in such service.

Hon J. W. North President and Contract for and official

Mr Ing moved to amend the report by striking out the word "coin" in the 7th line & inserting in lieu thereof the words "Cash or its Equivalents"

Agreed to.

The Report of the Committee
of the Whole was amended
was then read & adopted.

Mr Johnson moved to
~~amend~~ reconsider the
vote that adopting the
report of the Committee
of the Whole

Agreed to

Mr Johnson moved to recon-
sider the vote amending
~~Sec~~. the amendment of the
Committee of the Whole. so
far as related to striking
out the word "Coin" & in-
serting the words "Cash or
its equivalent" in the 24 Section

Agreed to.

The question again recur-
ring upon the amendment
inserting ~~the~~ the words "cash
or its equivalent" instead
of ~~Coin~~ the word "Coin"

The same was negatived

Mr Larrowe moved to amend
the Section as reported from
the C W. by adding after
the word "Coin" the words
"or its equivalent"

agreed to. and.

(2) by unanimous consent Mr Johnson moved to amend the report by the committee by striking out sec. 21. the words "But shall not be postponed beyond the General Election in A.D 1864 and such officers shall qualify within twenty days after a notification of such Election" and inserting in lieu thereof the words

provided that the time of such election shall not be postponed beyond the general election in A. D 1864. and the time of the qualification of such officers shall not exceed thirty days after such election.

Agreed to

And the report of the Committee of the Whole as amended was then adopted.

Mr Lawrence moved that ~~the Article~~ part two of the article entitled Schedule. as reported from the CW and amended be ordered Engrossed for a third reading

Agreed to.

The following sections originally reported and incorporated in the article entitled Schedule., having been ~~stricken~~ stricken out & found

were then ordered.

article by title, &c., and recommended the insertion in the Article on Miscellaneous Provisions, were read as follows.

Sec. ~~10.~~ The aggregate amount of members of both branches of the Legislature shall never exceed seventy-five.

Sec. ~~11.~~ [illegible] shall expire on the first Monday of January A. D., 1867.

By Unanimous consent Mr. Braxton offered the following new section to be added to the Article on Miscellaneous Provisions.

Sec. __ The Legislature may at any term by a vote of two thirds of the members elected to each branch thereof, provide by law for increasing or diminishing the salaries or compensation of any of the officers except Judicial whose salaries or compensation is fixed in this constitution, provided no such change of salary or compensation shall apply to any officer during the term for which he may have been elected.

Mr Larrowe moved that the Rules be suspended & the Ordinance considered Engrossed & ordered to a third reading forthwith. Agreed to by a 2/3rd vote.

On calling the Roll the ~~Ordinance~~ section were finally adopted by the following vote

AYE		NAY.
	Mr. Alban,	
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr. Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
5	Mr. Ent.	
6	Mr. Epler,	
7	Mr Gibson,	
8	Mr. Haines,	
	~~Mr. Harrison,~~	
9	Mr. Hickok,	
10	Mr. Hite,	
11	Mr. Hudson,	
12	Mr. Ing,	
13	Mr. Johnson,	
14	Mr. Kennedy,	
15	Mr. Kinkead,	
16	Mr. Larrowe,	
17	Mr. McClure,	
18	Mr. Mitchell,	
19	Mr. Nightingill,	
20	Mr. Noteware,	
21	Mr. Plunkett,	
	~~Mr. Potter,~~	
	~~Mr. Ralston,~~	
	Mr. Shamp,	
22	Mr. Small,	
	Mr. Stark,	
23	Mr. Sterns,	
	Mr. Stewart,	
24	Mr. Virden,	
25	Mr. Wasson,	
26	Mr. Youngs,	
27	[Mr. President]	Ralston
	Mr. North.	
	Ayes 27	
	Nays —	

Mr Bowman from the Select Committee appointed to review the Constitution for the purpose of reporting ~~the~~ necessary additional provisions ~~of~~ ~~directed~~ ~~to the Constitution~~ submitted the following Report.

To the President of the Constitutional Convention.

The Committee appointed to Examine the Constitution, and report what additional sections or provisions, if any, may be necessary to render the same more perfect and complete, respectfully report:

That provisions are embraced within the several articles of the Constitution in relation to the ~~several~~ distinct subjects to which their attention was particularly directed by the resolution under which your Committee was appointed, namely, "Counties, Townships, Elections and State officers." ~~That those provisions~~ In the judgment of the Committee, those provisions are sufficient to guide the law-making department of the Government and to clothe it with all necessary power to carry out in future legislation every detail and requirement essential to the well being of the State and its

Citizens.

The Committee find that the printed matter before them, Containing numerous errors, omissions and inaccuracies, and have taken the liberty to suggest Corrections, which they deemed proper. We also recommend to the Convention for adoption the following sections, accompanying this report—Viz.

As additions to the Article Entitled Miscellaneous Provisions. as follows.

(3.) of a General Statutes

1 Sec. ~~11.~~ The Legislature shall provide for the speedy publication of all Statute laws
2 and for such Judicial decisions as it may deem expedient, and all laws and Judicial Deci-
3 sions shall be free for publication by any person, provided that no judgment of the Supreme
4 Court shall take effect and be operative, until the opinion of the Court in such case shall
5 be filed with the Clerk of said Court, and notice thereof published by the Clerk
6 published at the place of holding said Court, or nearest thereto.

Sec. — The Sheriff, County Clerk, County Treasurer, County Judge and County Recorder shall hold their offices at the County seats of their respective Counties.

8 Concd in

and also that Sections (Right of Suffrage)
7. 8. & 9 in Article 2 be transposed and inserted in Article 4. (Legislative department.) as the most appropriate place.

Concd in

We further recommend to strike out altogether Section 22 in Article 3 on the Executive department) as entirely superfluous. It is also superseded by the Article 10 (Salaries.)

Agreed to.

Transfer Section 7 Article 5. (Judicial department.) Article 4. (Legislative ")

December 9. 1863.

Respectfully submitted

C. M. Brosnan
W. D. Lannowe
M. N. Mitchell
W. H. Kennedy
E. A. Long

The Report was accepted.

Mr Larrowe moved that the two resolutions recommended ~~to be~~ in the preceding Report be incorporated in the article entitled "Miscellaneous Provisions" be considered Engrossed. the Rules suspended & ordered to a final reading forthwith

Agreed to by ~~Unanimous~~ 2/3rds vote.

The said Sections were then read a third time & on calling the roll they were finall adopted & ordered incorporated in the Article entitled Miscellaneous provisions by the following vote

AYE.		NAY.
	Mr Alban,	
	Mr Ball,	
	Mr. Bechtel,	
1	Mr. Brosnan,	
	Mr. Bryan,	
2	Mr. Chapin,	
	Mr. Collins	
3	Mr. Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
4	Mr. Ent	
5	Mr. Epler,	
6	Mr Gibson,	
8	Mr. Haines,	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
	Mr. Hite,	
9	Mr. Hudson,	
10	Mr. Ing,	
11	Mr. Johnson,	
12	Mr. Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
16	Mr. Mitchell,	
17	Mr. Nightingill,	
	Mr. Noteware,	
18	Mr. Plunkett,	
	~~Mr. Potter,~~	
23	Mr. Ralston,	
	Mr. Shamp,	
19	Mr. Small,	
	Mr. Stark,	
21	Mr. Sterns,	

[illegible] Standard that
the two sections recommended ~~to be~~ in the preceding Report to be incorporated in the article entitled "Miscellaneous Provisions" be considered Engrossed. the Rules as Amended & ordered to a final reading forthwith

Agreed to by a ~~Unanimous~~ 2/3rds vote.

The said Sections were then read a third time & on calling the roll they were finall adopted & ordered incorporated in the Article entitled Miscellaneous Provisions by the following vote

~~Mr. Harrison,~~	
1	Mr. Hickok,
	Mr. Hite,
9	Mr. Hudson,
10	Mr. Ing,
11	Mr. Johnson,
12	Mr Kennedy,
13	Mr. Kinkead,
14	Mr. Larrowe,
15	Mr. McClure,
16	Mr. Mitchell,
17	Mr. Nightingill,
	Mr. Noteware,
18	Mr. Plunkett,
	~~Mr. Potter,~~
23	Mr. Ralston,
	Mr. Shamp,
19	Mr Small,
1	Mr. Stark,
20	Mr. Sterns,
	Mr. Stewart,
21	Mr. Virden,
22	Mr. Wasson,
~~22~~	Mr. Youngs,
	[Mr President]
	Mr. North.

Ayes 23
Noes —

[redacted]

[redacted]

The amendments recommendation of the Committee that sec's 7. 8. & 9. of the article entitled Right of suffrage. be transferred to the article Entitled

the Legislative Depart
ment was then con
cured in.

The recommendation
of the Committee to strike
out Sec 22 of the article
entitled "Executive Depart
ment" reading as follows

[illegible]

was then concurred in

The recommendation
of the Committee to trans
fer Sec 7 of the article
entitled the Judicial
Department. ~~reading~~
~~as follows~~. to the ~~Sec~~ Article
entitled the Legislature
Department as follows.

was then consumed in.

On motion ordered that the Secretary be directed to employ such additional services of copyists as he may deem necessary in order to have the Convention properly enrolled by 1 o'clock P.M. to-morrow

Negatived

On motion from the Select Committee on Rhandolph reported as correctly engrossed the Memorial to the California Legislature ~~as corrected~~ ~~passed~~.

On Larrowe moved that the Rules be suspended and that the same be ordered Enrolled. it having previously been finally passed by the Convention.

The Convention was then engaged in suggesting verbal amendments to the Printed Copy of

the Constitution for
Consideration tomorrow.
At 10:30 O'Clock A.M.
On motion of Mr
Lawrence the Convention
was adjourned till
10 O'clock A.M. tomorrow
noon

Thirty first day
Thursday Dec 10th 1863

The Convention met pursuant to adjournment at 10 o'clock A.M
Prayer by the Chaplain
On calling the Roll the following Delegates were present and the following Absent

1	AYE. Mr. Alban,	NAY.
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
5	Mr. Ent.	
6	Mr. Epler,	
7	Mr Gibson,	
8	Mr. Haines,	
	~~Mr. Harrison,~~	
9	Mr. Hickok,	
	Mr. Hite,	
10	Mr. Hudson,	
11	Mr. Ing,	
12	Mr. Johnson,	
13	Mr. Kennedy,	
14	Mr. Kinkead,	
15	Mr. Larrowe,	
16	Mr. McClure,	
	~~Mr. Mitchell,~~	
17	Mr. Nightingill,	
	Mr. Noteware,	
18	Mr. Plunkett,	
	~~Mr. Potter,~~	
19	Mr. Ralston,	
	Mr. Shamp,	
20	Mr. Small,	
	Mr. Stark,	
21	Mr. Sterns,	
	Mr. Stewart,	
	Mr. Virden,	
22	Mr. Wasson,	
23	Mr. Youngs,	
	[Mr. President]	
24	Mr. North.	

Thirty first day
Thursday Dec 10th 1863

The Co [illegible] met pursu
to
anth
adj
Ray
Qne
follo
Area
the
rec
the
req

The Journal of yesterday was read and approved
Mr Allen asked leave of absence for Mr Kitt for the day
Granted
Mr Chapin from the Standing Committee on State seal reported the following resolution and recommended its adoption.
as Rep.
Senate Except

Resolved,

That on the adoption of the Constitution by the people, the Secretary of State is hereby directed to procure a State Seal, (with a press and all necessary appendages) in accordance with the following general design adopted by the Convention.

State Seal and Coat of Arms

Art. II

The Seal of the State of Kentucky shall have the following prominent features represented upon it - to wit: In the foreground there shall be represented two large Mountains, at the base of which on the right there shall be located a quartz Mill, and on the left a tunnel penetrating the Silver leads of the Mountains with a Miner running a car load of ore to deposite at the dump; at which a team has loaded for the mill. Immediately in the foreground there shall be emblems indicative of the agricultural resources of the State as follows - a plow a sheaf and a sickle. In the middle ground there shall be a ~~coal coal~~ train of Coal Road Cars passing a mountain gorge; also a Telegraph line extending along the line of the coal road. In the extreme back ground there shall be represented a range of snow clad Mountains with the rising sun in the East. There shall be thirty ~~four~~ six (36) stars encircling the whole group indicating the number of States of the Union. In an outer

circle the words "The Great Seal of the State of Nevada" shall be engraved and on a scroll on the lower side of the circle shall be inscribed the motto of the State to wit "The Union shall be preserved".

L O Sellers
A. W Nightengale.

The Report was received.

Mr. The question being on the adoption of the Resolution from relature to seal as reported from the Committee

Mr Plunkett offered the following as a substitute.

Resolved that the Secretary of State, do be elected shall upon the admission of this state into the Union procure a State Seal with suitable devices bearing the motto "The Union shall be preserved."

[redacted] moved to
amend the substitute
Resolution of Mr. Plunkett
by striking out all after
the word ~~Seal~~ "State Seal" and
inserting in lieu thereof
the following

with the motto
"The Emmins that we preserve"
shall have Engraved upon it, a figure
of the goddess of Freedom armed
Cap a pie as Minerva when she
sprang from the head of Jove
~~transporting~~ a Monster representing Secession.

Negatived by the following
vote. Ayes 7. Noes 13
Mr Plunketts substitute
was rejected and on
calling the Roll the Resolution reported from the
Standing Committee on
State Seal was then adopted
by the following vote

1	AYE.	Mr. Alban,	NAY.
		Mr. Ball,	
		Mr Bechtel,	
		Mr. Brosnan,	1
		Mr. Bryan,	
2		Mr. Chapin,	
		Mr. Collins	
3		Mr. Conner,	
		Mr. Corey,	
		Mr. Dorsey,	
4		Mr. Ent.	
5		Mr. Epler,	
6		Mr Gibson,	
		Mr. Hames,	2
		~~Mr. Harrison,~~	
7		Mr. Hickok,	
		Mr. Hite,	
8		Mr. Hudson,	
9		Mr. Ing,	
		Mr. Johnson,	3
		Mr. Kennedy,	4
10		Mr. Kinkead,	
		Mr. Larrowe,	5
		Mr. McClure,	
11		Mr. Mitchell,	
12		Mr. Nightingill,	

of the following

	AYE.		NAY
		Mr. Alban,	
		Mr Ball,	
		Mr. Bechtel,	
		Mr. Brosnan,	1
		Mr. Bryan,	
2		Mr. Chapin,	
		Mr. Collins	
3		Mr Conner,	
		Mr. Corey,	
		Mr. Dorsey,	
4		Mr. Ent.	
5		Mr. Epler,	
6		Mr Gibson,	
		Mr. Haines,	2.
		~~Mr. Harrison,~~	
7		Mr. Hickok,	
		Mr. Hite,	
8		Mr. Hudson,	
9		Mr. Ing,	
		Mr. Johnson,	3
		Mr. Kennedy,	4
10		Mr. Kinkead,	
		Mr. Larrowe,	5
		Mr. McClure,	
11		Mr. Mitchell,	
12		Mr. Nightingill,	
		Mr. Noteware,	6
		Mr. Plunkett,	7
		~~Mr. Potter,~~	
13		Mr. Ralston,	
		Mr. Shamp,	
		Mr. Small,	8
		Mr. Stark,	
14		Mr. Sterns,	
		Mr. Stewart,	
		Mr. Virden,	
		Mr. Wasson,	9
		Mr. Youngs,	
		[Mr. President.]	
		North.	

Mr Larrowe from the standing Committee on Phraseology submitted the following report.

To the President of the Convention.

The Undersigned. Committee on Phraseology. Beg leave to make a further report,

They have compared part 2 commencing with Sec 5 of the Article entitled Schedule with the original & find the same correctly engrossed.

They would recommend that Sections 12. 13 & 28 of the said report as follows.

neg

Sec. 12 All officers whose election or appointment is not otherwise provided for shall be chosen or appointed as may be prescribed by law.

Sec. 13 The tenure of any office not herein provided for may be declared by law or when not so declared, such office shall be held during the pleasure of the authority making the appointment; but the Legislature shall not create any office the tenure of which shall be longer than four years

Sec 28. A State Superintendent of Public Printing shall be elected at the same time and places, and for the same term as the Governor. The duties and compensation of such office shall be fixed by law

~~They would further recommend~~ be transferred to the Article entitled Miscellaneous Provisions and said shall after the adoption of this Constitution, and canvass

of said votes, issue certificates of election to such persons as were elected on said third Tuesday of January A.D. 1864

Agreed to unanimously.

By Mr. C. Ordanance moved to further amend said section by striking out the second sentence, the words "and of the said other officers elected"

Agreed to unanimously By Unanimous consent Mr Johnson moved to amend Sec 18. by striking out the word "Tuesday" where it occurs therein & inserting in lieu thereof the word "Monday"

Agreed to unanimously. By Unanimous consent Mr Johnson moved to amend Sec 21. by inserting therein between the word "the" and the word "publication" the words "payment of the"

Agreed to unanimously.

The article as amended was the 11th R. and third time as follows.

ART

For the purpose of taking the vote of the electors of this Territory, for the ratification or rejection of this Constitution, and for the election of all State officers, Supreme, District and County Judges, members of the Legislature and Representative to Congress

an election shall be held in the several counties of the Territory, (at such places as may be designated by Commissioners of each of the counties, respectively,) on the ~~first~~ Tuesday of January, A. D. 1864. The judges and inspectors of said election shall be appointed by such County Commissioners, and the election shall be conducted as nearly as practicable in conformity with the existing laws of the Territory, in relation to the holding of the general election—except as otherwise provided in this Constitution.

Sec. 6 Each elector shall express his opinion by depositing in the ballot box, a ticket whereon shall be written or printed Constitution, "Yes," or Constitution "No," or such words as will distinctly convey the intention of the voter.

Sec. 7 At the close of the election, the judges and inspectors shall carefully count each ballot, and forthwith make duplicate returns thereof to the Clerk of the Board of County Commissioners of their respective counties, and said Clerk shall transmit an abstract of the same by the most safe and rapid conveyance to the Secretary of the Territory, enclosed in an envelope, marked "election returns"

Sec 8 Upon the receipt of said returns, or within fifteen days after the election, if the returns be not sooner received, it shall be the duty of a Board of Canvassers, to consist of the Secretary of the Territory, and the President and Secretary of this Convention, to canvass the returns of said election, in presence of all who may choose to attend, and immediately publish an abstract of the same, in one or more of the new-papers of the Territory of Nevada

said Board shall after the adoption of this Constitution and canvass said votes issue certificates of election to such persons as were elected on said third Tuesday of January A.D. 1864.

And the Governor of this Territory shall immediately after ascertaining that the Constitution has been ratified by the people, make proclamation of the fact, ~~and of the State and other officers elected~~ and thereupon forth this Constitution shall be ordained and established as the Constitution of the State of Nevada

Sec. 9 ~~At the time of the submission of this Constitution to a vote of the people, there~~
~~shall be elected all the State officers, Judges of the Supreme, District and County Courts;~~
~~a Clerk of the Supreme Court, members of the Legislature, and a Representative in Con-~~
gress. Until otherwise provided by the Legislature, the apportionment of Senators and
Assemblymen among the different counties, shall be as follows:

	SENATORS:	ASSEMBLYMEN:
Douglas,	one	Two
Esmeralda,	Two	four
Humboldt,	Two	three
Lander,	Two	Three
Lyon & Churchill,	Two	four
Ormsby,	Two	Three
Storey,	four	Twelve
Washoe, Roop	Two	Three

Sec 10. If this Constitution shall be ratified by the people the President of this convention shall (within ~~thirty~~ ten days after the results of the election shall be declared) convene the Legislature for the purpose of Electing two United States Senators

Sec. 11. A copy of this Constitution certified to be correct by the President and Secretary of this Convention, shall be published by them in one newspaper in each county of this Territory, (where a newspaper is published,) as soon as practicable after the final adjournment of this Convention. Such President and Secretary shall forward a copy of this Constitution, certified as aforesaid, to the President of the United States, President of the Senate, Speaker of the House of Representatives and the Delegate in Congress from this Territory.

Sec. 12 The Governor, Secretary of State, State Controller, and Clerk of the Supreme Court, shall keep their respective offices at the seat of Government.

Sec 13 All debts and liabilities of the Territory of Nevada lawfully incurred, and which remain unpaid at the time of the admission of this State into the Union, shall be assumed by, and become the debt of the State of Nevada, Provided, that an amount not exceeding the sum of ~~fifteen~~ twenty thousand dollars shall be assumed for such debts or liabilities contracted or incurred on and after the first day of January, A. D., 1864.

SEC 14. The Senators to be elected at the first election under this Constitution, shall draw lots so that the term of the one half thereof shall expire on the day succeeding the general election in A. D. 1864, and the term of the other half shall expire on the day succeeding the general election in A. D. 1866; Provided, that in drawing lots for all Senatorial terms, the Senatorial Representation shall be allotted so that the counties having two or more Senators, the terms thereof shall be divided as equally as may be between the long and short terms.

SEC. ~~15~~. At the general election in A. D. 1864, and thereafter, the term of Senators shall be for four years from the day succeeding ~~each~~ general election, and members of Assembly for two years, from the day succeeding ~~each~~ general election, and the terms of Senators shall be allotted in long and short terms, as herein before provided; so that the one half thereof as nearly as may be, shall be elected every two years.

SEC. ~~16~~. The term of members of the Assembly elected at the first election under this Constitution, shall expire on the day succeeding the general election in A. D., 1864.

SEC. ~~17~~. The first session of the Legislature under this Constitution, shall be held at such time after the admission of this State into the Union, as the Executive of the State shall by his proclamation direct, *provided*, such time shall not be less than twenty days nor exceeding sixty days, after such admission.

SEC. ~~18~~. The second regular session of the Legislature shall convene on the first ~~Tuesday~~ day of January, A. D., 1865, and ~~thereafter~~ such regular sessions shall be held on the 1st ~~Tuesday~~ of January, biennially

Sec 19 All County officers (except Probate Judges) and all

, Township, City and Town officers ~~except Probate Judges~~ under the laws of the Territory of Nevada at the time when this Constitution shall take effect, and which offices are not inconsistent with the provisions of this Constitution, shall continue in office until their successors shall be elected and qualified. The time of such election and qualification shall be as prescribed by law; ~~Provided~~ that the time of such election shall not be postponed beyond the general election in A. D. 1864, and the time of such qualification of such officers shall not exceed forty days after such election.

SEC. 20. The enumeration of the inhabitants of this State shall be taken under the direction of the Legislature in the year 1864, and 1867, and 1875, and every ten years thereafter, and these enumerations together with the census that may be taken under the direction of the Congress of the United States in the year 1870, and every subsequent ten years shall serve as the basis of representation in both houses of the Legislature.

SEC. 21. At the first session of the Legislature to convene under the requirements of this Constitution, provision shall be made by law for the publication of six hundred copies of the proceedings of this Convention in book form, to be disposed of as the Legislature may direct; and A. J. Marsh, one of the Reporters of this Convention, shall supervise the publication of such proceedings. Provision shall be made by law at such first session of the Legislature for the compensation of the ~~Secretary and officers~~ Reporters of this Convention for their services respectively; and they shall be paid in coin. The rates of compensation shall be as follows: ~~To the Secretary, fifteen dollars per day during the session of the Convention.~~ To the official Reporters jointly, forty cents per folio for reporting the same for publication, and to A. J. Marsh for supervising such publication, the sum of fifteen dollars per day during the time actually engaged in such service.

On calling the Roll the 3d article entitled Schedule commencing at Sec 5 was finally adopted & ordered Enrolled by the following vote.

AYE.	NAY.
Mr. Alban,	
Mr. Ball.	
Mr. Bechtel,	
Mr. Brosnan,	
Mr Bryan,	
Mr. Chapin,	
Mr. Collins	
Mr. Conner,	
Mr. Cozey,	
Mr. Dorsey,	
Mr. Ent.	
Mr. Ep'er,	
Mr Gibson,	
Mr. Haines,	
~~Mr. Harrison,~~	
Mr. Hickok,	
Mr. Hite,	
Mr. Hudson,	
Mr. Ingr.	
Mr. Johnson,	
Mr. Kennedy,	

AYE.		NAY
	Mr. Alban,	
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr. Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
5	Mr. Ent.	
6	Mr. Ep'er,	
7	Mr Gibson,	
8	Mr. Haines,	
	~~Mr. Harrison,~~	
9	Mr. Hickok,	
	Mr. Hite,	
23	Mr. Hudson,	
10	Mr. Ing,	
11	Mr. Johnson,	
12	Mr. Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
	Mr. McClure,	
15	Mr. Mitchell,	
16	Mr. Nightingill,	
17	Mr. Noteware,	
18	Mr. Plunkett,	
	~~Mr. Potter~~,	
22	Mr. Ralston,	
	Mr. Shamp,	
	Mr. Small,	
	Mr. Stark,	
19	Mr. Sterns,	
	Mr. Stewart,	
	Mr. Virden,	
20	Mr. Wasson,	
21	Mr. Youngs,	
	[Mr. President.]	
	Mr. North.	

at 12 o'clock M. the Convention took a recess till 2 o'clock P.M.

---

2 o'clock P.M.

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& Paper

~~Sec.~~ The following sections having been ordered transferred from the article Entitled "Schedule." to the Article entitled Miscellaneous provisions, was on motion read a third time. ~~and~~ as follows.

1 Sec. ~~10.~~ All officers whose election or appointment is not otherwise provided
2 for shall be chosen or appointed as may be prescribed by law.
1 Sec. ~~11.~~ The tenure of any office not herein provided for may be declared
2 by law or when not so declared, such office shall be held during the pleasure of
3 the authority making the appointment: but the Legislature shall not create
4 any office the tenure of which shall be longer than four years

1 Sec. ~~12.~~ A State Superintendent of Public Printing shall be elected at the same time
2 and places, and for the same term as the Governor. The duties and compensation of such
3 office shall be fixed by law.

On calling the Roll the said proceeding sections were finally passed & ordered added to the article entitled "Miscellaneous provisions" by the following vote

AYE.		NAY.
	Mr Alban,	
	Mr Ball,	
	Mr. Bechtel,	
2	Mr Brosnan,	
	Mr Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr. Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
5	Mr. Ent.	
6	Mr. Epler,	
7	Mr Gibson,	
8	Mr. Haines,	
	~~Mr. Harrison,~~	
9	Mr. Hickok,	
	Mr. Hite,	
10	Mr. Hudson,	
11	Mr. Ing,	
12	Mr. Johnson,	
13	Mr. Kennedy,	
	Mr. Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
16	Mr. Mitchell,	

Art 2 & 4 of Constitution
the Convention to
accept title. 2 O'clock P.M.

---

2 ~~O'clock~~ o'clock P.M.

3d Rdg
3 Sec's
to this Prov.
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Papers.

~~Sec~~ Mr Holt
having
ferred
Entitle
Article
Section
reads
as fol

1 Sec
2 for shall
1 Sec.
2 by law o
3 the auth
4 any offic

1 Sec
2 and places,
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Mr Johnson asked leave of absence
for Mr. Dorsey of Dorchester for
for balance of Session
agreed Granted

AYE.		NAY.
	Mr. Alban,	
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr. Conner,	
	Mr Cooey,	
	Mr. Dorsey,	
5	Mr. Eat.	
6	Mr. Epler,	
7	Mr Gibson,	
8	Mr. Haines,	
	~~Mr. Harrison,~~	
9	Mr. Hickok,	
	Mr. Hite,	
10	Mr. Hudson,	
11	Mr. Ing,	
12	Mr. Johnson,	
13	Mr. Kennedy,	
	Mr. Kinkead,	
14	Mr. Larrowe,	
15	Mr. McClure,	
16	Mr. Mitchell,	
17	Mr. Nightingill,	
18	Mr. Noteware,	
19	Mr. Plunkett,	
	~~Mr. Potter,~~	
20	Mr. Ralston,	
	Mr. Shamp,	
21	Mr. Small,	
	Mr. Stark,	
22	Mr. Sterns,	
	Mr. Stewart,	
	Mr. Virden,	
23	Mr. Wasson,	
	Mr. Youngs,	
24	[Mr President.]	
	Mr. North.	

following Resolution

Resolved that the volume or Volumes of the Debates & Proceedings of this Convention shall contain

1st. An Introductory — Embracing a brief outline of the History of the Territory of Nevada. To be prepared by the Hon Cornelius O Cowman

2nd. The Act of Congress organizing the Territory of Nevada

3rd. The Act of the Legislative Assembly authorizing this Convention.

4th The Alphabetical Roll of members & officers of this Convention

5th The Debates & Proceedings of this Convention.

6th. The Index to the Debates and proceedings

7th " The Constitution as finally passed

[illegible] Resolution
[illegible] the
[illegible] Full Journal
[illegible] day & May
negatived & and the
Original Resolution was
then adopted
Mr Mitchell offered the
following Resolution

Resolved that the President
appoint a Committee of three whose duty
it shall be [illegible] to gether with
the President and secretary of this
convention to supervise after the final adjournment of this convention the reenrollment
of the constitution as finally passed
[illegible] and that the final Section
of the schedule be enrolled on a
separate sheet to be signed by the
members of this convention and
attached to the reenrolled copy of
this constitution

adopted

The President announced
Messrs Mitchell Johnson.
and Brannan. as the
members of said Committee
Hon J K Rolston President
pro tem in the Chair

[illegible] because the Enrolled
Copy of the Constitution
And the Preamble, Declaration
of Rights, Distribution
of Powers and Legislature
Department were some things
not to be amended as here
after set forth.
Insert Article.
The House of ½ past 4 o'clock
having arrived the Convention pursuant to
rule took a recess till
7 o'clock P.M.

Mr Haines moved that the Convention do now take up the question of Compensation to the attaches ~~Mr Haines~~ agreed to Mr Haines offered the following.

Resolved ~~that~~ the Territorial Legislature Assembly be and they are hereby recommended to make an appropriation ~~of~~ to Wm Gillespie ~~the Secretary of this Convention~~ as a compensation for services as ~~Journal Secretary~~ Chief Secretary and Journal Secretary of this Convention the sum ~~of Dollars~~ Dollars per diem for the session and the same rate per diem for engrossing the proceedings of this convention provided the said services be limited to fifteen days after the final adjournment of this Convention. the said compensation ~~to~~ be made in Cash or its equivalent in Territorial warrants.

Adopted.

The Resolution offered by Mr. McKennedy fixing the salaries of the Attaches ~~of~~ of the Convention, was taken up and amended so as to read as follows.

Resolved that the pay of the attaches of the Convention shall be as follows in Territorial Scrip for each days actual service. viz

To B F Peck. Engrossing clerk for the Convention Twenty Dollars per diem.

~~To Andrew Whitford for services as Clerk of~~

To A M Stow for services as Sergeant at Arms twenty Dollars per diem.

To Wm C Keene for services as Porter. ten Dollars per diem.

To C H Carlyle. for services as Assistant Porter ten Dollars per diem

To Aaron Crampton for services as Page Eight Dollars per diem

To Andrew Whitford for services as Clerk of the Judiciary Committee the sum of Two

Hundred and fifty Dollars for the session.

Off. J. White for services as chaplain during the session. the sum of Two Hundred Dollars.

Adopted

Mr. Young moved ~~that~~ the Committee on supplies be ~~directed~~ authorized to certify or audit the ~~the~~ accounts of the Printer and recommend the Legislature Assembly to make an appropriation to cover the same. ~~Further that the said Committee have further power to audit the Accounts of the Enrolling clerk.~~

Adopted.

Mr Johnson moved to reconsider the vote just taken. agreed to.

Mr Johnson moved that the Committee on Supplies be directed to audit the account of the enrolling clerk. that he shall have his ratable proportion

of the moment at present
of the depredations of
and Comanches & that
they recommend the
Legislature Assembly
to make an appropriation
for to him sufficient
to cover the balance that
may be due him.
And Agreed to
Mr Johnson offered the
following

Resolved, That the ~~Copy~~ Constitution adopted
by this Convention when finally enrolled
~~be deposited~~ and the Minutes of
this Convention be deposited with
~~and Recorded deposited~~ Kept by
the Secty of State Secretary ~~and~~
~~by him kept in some safe place~~
then for safe keeping —
Adopted

By unanimous consent
Mr Johnson moved to amend
Sec 6 of the article entitled Miscellaneous
provisions by inserting
between the words "first"
& "Monday" the words "Tues-
day after the"
Agreed to

The Convention proceeded to reconsider the vote ~~of~~ adopting the report of the Committee recommending the numbers of Secs 7. 8. & 9 of the Article entitled "Right of Suffrage" & the Legislature Department.

agreed to,

and the Report of said Committee was then duly agreed to.

The Convention then proceeded to revise the Articles Entitled "Executive Department" & Judicial Department and having gone through therewith at 11 oclock PM the Convention on motion adjourned till 10 oclock AM.

Thirty second Day.
Friday Dec 12th 1856.

The Convention met at 10 o'clock & in pursuance to adjournment

Prayer by the Chaplain

On calling the Roll the following Delegates were

Present 23

and the following

absent 5

1	Mr. Alban,	
	Mr Ball,	
	Mr. Bechtel,	
3	Mr. Brosnan,	
	Mr. Bryan,	
4	Mr. Chapin,	
~~2~~	~~Mr. Collins~~	
5	Mr. Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
6	Mr. Ent.	
7	Mr. Ep'er,	
	Mr Gibson,	
	Mr. Haines,	
	~~Mr. Harrison,~~	
8	Mr Hickok,	
	Mr. Hite,	
9	Mr. Hudson,	
10	Mr Ing,	
11	Mr. Johnson,	
12	Mr Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
	Mr. McClure,	
15	Mr. Mitchell,	
16	Mr. Nightingill,	
	Mr. Noteware,	
17	Mr. Plunkett,	
	~~Mr. Potter,~~	
18	Mr. Ralston,	
	Mr. Shamp,	
19	Mr. Small,	
	Mr. Stark,	
20	Mr. Sterns,	
	Mr. Stewart,	
21	Mr. Virden,	
22	Mr. Wasson,	
23	Mr. Youngs,	
	[Mr. President.]	
24	Mr. North.	

today

The Journal of yesterday was read and approved

Mr Larrabee submitted the following report

In the President of the Convention

The undersigned committee on Schedule, &c, beg leave to recommend the adoption of the following as a new section thereto —

Section — After the admission of this State into the Union — and until the Legislature shall otherwise provide, the several District and County Judges shall hold courts in their respective Districts and Counties, at such times & places as they may respectively appoint

M D Larrabee
Wm H Wirden

The Report was accepted
Mr Darrow moved that
the Rules be suspended
& the section just reported
be read a third time
forthwith.
Agreed to by a parol vote.
The Article was then read
as follows

Section ... After the admission
of this State into the Union and until
the Legislature shall otherwise provide
the several District and County Judges
shall hold Courts in their respective
Districts and Counties at such times
and places as they may respectively
appoint

On calling the Roll the section
was finally adopted by the
following vote

AYE.		NAY.
1	Mr. Alban,	
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr. Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr. Connet,	
	Mr. Corey,	
	Mr. Dorsey,	
5	Mr. Ent.	
6	Mr. Ep'er,	
	Mr Gibson,	
7	Mr. Haines,	
	~~Mr. Harrison~~,	
8	Mr. Hickok,	
	Mr. Hite,	

AYE.		NAY.
1	Mr. Alban,	
	Mr Ball,	
	Mr Bechtel,	
2	Mr Bosman,	
	Mr Bryan,	
3	Mr. Chapin,	
	Mr. Collins	
4	Mr Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
5	Mr. Ent,	
6	Mr. Ep'er,	
	Mr Gibson,	
7	Mr. Haines,	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
	Mr. Hite,	
9	Mr. Hudson,	
10	Mr. Ing,	
11	Mr. Johnson,	
12	Mr. Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
	Mr. McClure,	
15	Mr. Mitchell,	
16	Mr. Nightingill,	
17	Mr. Noteware,	
18	Mr. Plunkett,	
	~~Mr. Potter,~~	
19	Mr. Ralston,	
	Mr. Shamp,	
20	Mr. Small,	
	Mr. Stark,	
21	Mr. Sterns,	
	Mr. Stewart,	
22	Mr. Virden,	
23	Mr. Wasson,	
24	Mr. Youngs,	
	[Mr. President.]	
25	Mr. North.	
affirm	25	
neg		

Medlan offered the following Resolutions.

[illegible]

Resolved that the Convention will [illegible] Resolutions [illegible] Articles of Confederation [illegible] Articles [illegible] Resolved that the Articles be amended [illegible] Resolved that the Articles of Confederation [illegible] Resolved that [illegible] Articles [illegible]

Resolved that the Resolutions offered by Genl Pinckney be referred to the Committee of the whole House on the state of the Union.

Mr Young moved that the Resolutions lie on the table.

Agreed to.

The Convention resumed the consideration of the Enrolled articles as follows.

Impeachment & Removal from office

Municipal & other Corporations

Finance & State Debts

Taxation

& Salaries

11 o'clock AM.

Mr Lamare offered the following.

Resolved — That the Secretary of this Convention be requested to send upon the Hon. Justin S Collins Delegate from Story County — & present him the ~~last page of the~~ re-enrolled copy of this Constitution for his signature Adopted

Mr Hedrick offered the following

Resolved that this Convention do adjourn sine die this Evening at 10 o'clock.

Laid on the table

Mr Johnson offered the following

Resolved That the resolution adopted yesterday directing the Enrolled Act contained in the ~~Secretary~~ Vote of the Official reports of Debates & Proceedings of this Convention be enrolled by the Engrossing Clerks & the Secretary of the Convention & when ~~so~~ so enrolled ~~and signed~~ signed by the President ~~shall be~~ & Secretary shall be deposited

adopted.

The Convention ~~resolved~~ again proceed to revise and amend the Enrolled Articles of the Constitution as follows. Viz:

Education
Militia
Public Institutions
Boundary.
Amendments
~~Schedule~~.

And at ½ past 2 o'clock PM the Convention took a recess till 3 o'clock PM.

3 o'clock PM.
The Convention again proceed to revise and amend the Enrolled Articles ~~of the~~ of the Constitution Entitled viz
"Schedule."

And ~~at~~ the hour of ½ past 4 o'clock PM the Convention took a recess till 7 o'clock PM

7 o'clock P.M.

Mr Kennedy offered the following

Resolved

That immediately after the Board of Canvassers shall have determined that this Constitution has been ratified by the people a notice of such ratification signed by the President and Secretary of this Convention shall be sent by Telegraph to our Delegate in Congress and A.B. Bennett Delegate in Congress from Colorado Territory. & further that a certified copy of this resolution be transmitted with the four Copies of the ~~Said~~ Constitution to Washington. as provided in said Convention.

Adopted.

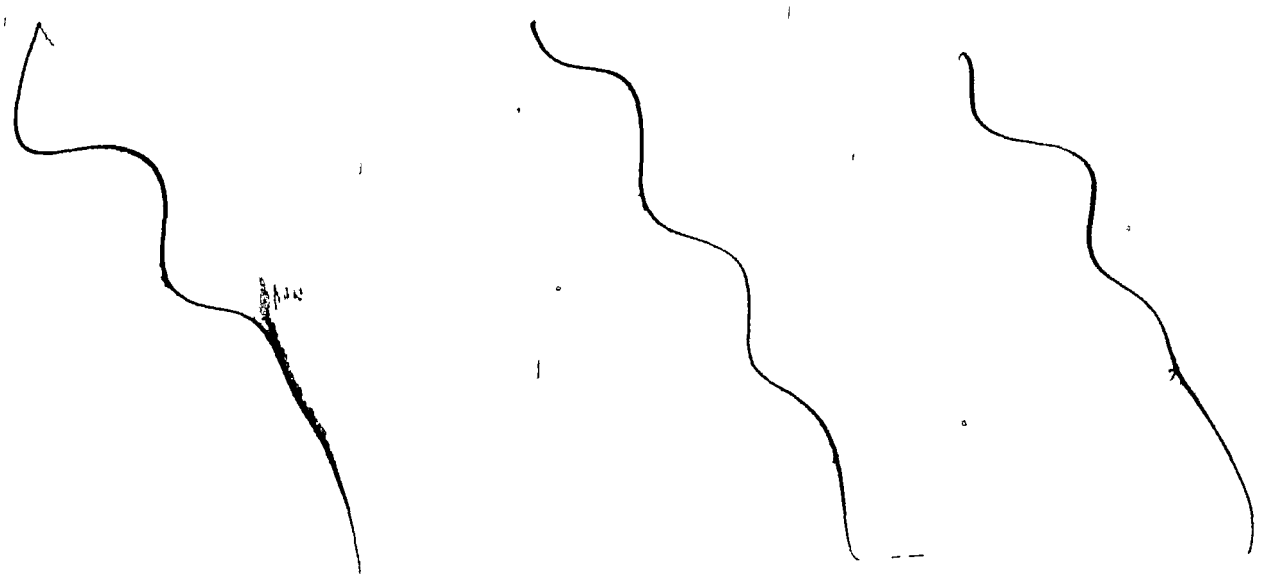
The Convention then proceeded to revise the articles Entitled ~~Schedule~~ Miscellaneous Provisions & having gone through therewith & having transferred two sections from the article entitled ~~Schedule~~ rule thereto. as following

Sec 13 & 14

By unanimous consent
Mr Plunkett moved to
strike out Sec 12 ~~as~~
reading as follows.

and inserting in lieu thereof the following.

Section ~~1~~ 2. A State Printer shall be elected at the time and places, and in
and for the same term
the same manner as the Governor, ~~who shall hold his office for the term of two~~
prescribed
~~years.~~ He shall do all the public printing for the State which may be ~~provided~~
Law
by law. The rates to be paid him for such printing shall be fixed by ~~the Leg.~~



agreed & recommended.

Mr Johnson By unanimous
consent submitted the
following new section
as an amendment to
the Article Entitled Mis
cellaneous Provisions
as follows.

Sec 15

A plurality of vote given at any
election by ballot shall constitute a choice,
where not otherwise provided in this
Constitution

Which was read. and
Mr Johnson moved that
the Rules be suspended
and the Section consider
ed engrossed & ordered
to a third Reading forth
with

Agreed to by 2/3 Vote
The Section was then read
a third time. & on calling
the Roll the same was
finally adopted by the
following vote

1	AYE. Mr. Alban,	NAY
	Mr Ball,	
	Mr. Bechtel,	
2	Mr Brosnan,	
	Mr Bryan,	
	Mr Chapin,	
	Mr. Collins	
3	Mr. Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
4	Mr. Ent.	
5	Mr. Ep'er,	
6	Mr Gibson,	
7	Mr. Haines.	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
	Mr. Hite,	
9	Mr. Hudson,	
10	Mr. Ing,	
11	Mr. Johnson,	
12	Mr. Kennedy	

AYE.		NAY.
	Mr. Alban,	
	Mr. Ball,	
	Mr. Bechtel,	
2	Mr. Brosnan,	
	Mr Bryan,	
	Mr Chapin,	
	~~Mr. Collins~~	
3	Mr. Conner,	
	Mr. Corey,	
	Mr. Dorsey,	
4	Mr. Ent.	
5	Mr. Epler,	
6	Mr Gibson,	
7	Mr. Haines,	
	~~Mr. Harrison,~~	
8	Mr. Hickok,	
	Mr. Hite,	
9	Mr. Hudson,	
10	Mr. Ing,	
11	Mr. Johnson,	
12	Mr. Kennedy,	
13	Mr. Kinkead,	
14	Mr. Larrowe,	
	Mr. McClure,	
15	Mr. Mitchell,	
16	Mr. Nightingill,	
17	Mr. *Noteware*,	
18	Mr. Plunkett,	
	~~Mr. Potter,~~	
19	Mr. Ralston,	
	Mr. Shamp,	
20	Mr. Small,	
	Mr. Stark,	
21	Mr. Sterns,	
22	Mr. Stewart,	
23	Mr. Virden,	
24	Mr. Wasson,	
25	Mr. Youngs,	
	[Mr. President.]	
26	Mr. North.	

Affirm 26
Neg

Mr Lux offered the following
Resolved - That the Special Committee
appointed to Supervise the final Consol-
=ment of the Constitution, adopted by this Convention
be authorized
& Correct any errors which may appear
in as to carry out the intentions
of the members of this Convention
~~Constitution adopted~~.

adopted

Mr Stewart offered the following
Resolved

That a printed copy
of the Memorial adopted
by this Convention in regard
to the boundary line
between Nevada and
California signed by the
President and Secretary
be forthwith forwarded
to each member of the
California Legislature
now in session and also
a copy to the Governor and
Sienator Hyer. of State

Adopted.

The President after conversation laid matter the following communication.

Virginia City December 6. 1865

To the
Constitutional Convention
Carson City
Nev.

Gentlemen of the Convention

We take the liberty of enclosed herewith subject to your consideration, our Bill of Cost for the publication of the Constitution of Oregon. The Work was performed at the particular and urgent request of E. D. Sawyer Esq though it obliged the Corporation, we incommenced ourselves greatly in so doing, being at that time very much pressed for time. Our charge we think is very reasonable considering the manner in which the Work has been performed and very much below the figure you have been paying for publications of that nature. We hope therefore, Gentlemen that you will not delay in having our Bill, passed and audited at once and by Sunday or Settlement for the same at your earliest possible convenience you will confer a favor upon

Your very obedient servants
Goodman & Hartley
per H. K. Colton

On North moved that the ~~whole~~ ac-
moved that the ~~whole~~ ac-

count be received & the Financial Legislature hereby respectfully recommended to ~~consider the said~~ make payment of the same.

Agreed to

Mr Johnson offered the following.

Resolved - That if the Constitution shall be adopted by the people, the President of this Convention in transmitting the Copies of the Constitution to the Executive of the United States, and the Presiding Officers of the two Houses of Congress, shall also accompany the same with a Memorial on behalf of and in the name of the people of this Territory and this Convention, respectfully asking the admission of Nevada as a State of the Union.

Adopted.

By U C. Mr Stevens moved that the following Section be added to the article on Miscellaneous Provisions. ~~Resolved~~

No Contract of Dueling if otherwise shall be entered into subsequent to the adoption of this Constitution by any person in the Legislature shall

Mr Kerns moved that the Rules be suspended & the same ordered to a third Reading forth with.

agreed to by a 2/3 vote.

Read a second time.

Mr North moved that it be indefinitely post poned.

Agreed to.

Mr Young moved that the Resolution's complimentary to officers of the Convention laid on the table be taken from the table.

Agreed to.

The Resolutions were then unanimously adopted.

Mr Linkead offered the following

[illegible]

adopted.

McKenney offered the following -

Resolved that the thanks of this Convention be returned to Hon D.H. Ralston for the able impartial manner in which he has presided over the deliberations of this Convention

Carried.

Mr Ralston offered the following -

Whereas a provision of the Constitution requires that one certified copy of the constitution be transmitted to the President of the United States, one to the President of the United States Senate, one to the Speaker of the House of Representatives and one to the Hon Gordon N Matt Territorial Delegate to Congress.

Therefore

Resolved

that the Legislature Assembly of this Territory be recommended to allow ~~Mr Gillespie the Secretary of this Convention~~, the sum of ~~Sixty~~ fifty cents per folio to the Secretary of the Convention for Enrolling the said fair copies of the Constitution ordered to be transmitted to Washington. said compensation to be paid in cash or its equivalent in Warrants on the Territorial Treasury

Adopted

Mr Kennedy, moved that the Convention do now adjourn sine Die, after giving three cheers for the State of Nevada. and the Convention just perfected

agreed to.

Speech of north.

The Convention gave three cheers for the Union and was declared adjourned sine Die